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United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice

Note by the Secretariat

By its resolution 2014/18 of 16 July 2014, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights,[2] the Convention on the Rights of the Child[3] and all other relevant international and regional treaties,

Recalling also the numerous international standards and norms in the field of crime prevention and criminal justice, in particular on juvenile justice, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),[4] the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines),[5] the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[6] the Guidelines for Action on Children in the

[1] General Assembly resolution 217 A (III).
[2] See General Assembly resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[4] General Assembly resolution 40/33, annex.
[5] General Assembly resolution 45/112, annex.
[6] General Assembly resolution 45/113, annex.

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Criminal Justice System,[7] the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,[8] the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[9] the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,[10] the Guidelines for the Prevention of Crime,[11] the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,[12] the guidelines for cooperation and technical assistance in the field of urban crime prevention,[13] the Code of Conduct for Law Enforcement Officials,[14] the Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials[15] and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,[16]

Recalling further its relevant resolutions, as well as those of the Economic and Social Council, the Human Rights Council and the Commission on Human Rights,[17]

Convinced that violence against children is never justifiable and that it is the duty of States to protect children, including those in conflict with the law, from all forms of violence and human rights violations and to exercise due diligence to prohibit, prevent and investigate acts of violence against children, eliminate impunity and provide assistance to the victims, including prevention of revictimization,

Acknowledging the value of the joint report of the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system,[18] the report of the United Nations High Commissioner for Human Rights on access to justice for children[19] and the joint report of the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Representative of the Secretary-General on Violence against Children on accessible and child-sensitive counselling, complaint and reporting mechanisms to address incidents of violence,[20]

Noting with appreciation the important work on child rights in the context of crime prevention and criminal justice conducted by United Nations agencies, funds

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[7] Economic and Social Council resolution 1997/30, annex.

[8] Economic and Social Council resolution 2005/20, annex.

[9] General Assembly resolution 65/229, annex.

[10] General Assembly resolution 65/228, annex.

[11] Economic and Social Council resolution 2002/13, annex.

[12] General Assembly resolution 67/187, annex.

[13] Economic and Social Council resolution 1995/9, annex.

[14] General Assembly resolution 34/169, annex.

[15] Economic and Social Council resolution 1989/61, annex.

[16] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.2, annex.

[17] Including General Assembly resolutions 62/141, 62/158, 63/241, 64/146, 65/197, 65/213, 66/138, 66/139, 66/140, 66/141, 67/152 and 67/166; Economic and Social Council resolutions 2007/23 and 2009/26; and Human Rights Council resolutions 7/29, 10/2, 18/12, 19/37, 22/32 and 24/12.

[18] A/HRC/21/25.

[19] A/HRC/25/35 and Add.1.

[20] A/HRC/16/56.

and programmes, including the United Nations Office on Drugs and Crime, the Office of the High Commissioner and the United Nations Children's Fund, and by the Special Representative and relevant mandate holders and treaty bodies, and welcoming the active participation of civil society in this field of work,

Emphasizing that children, by reason of their physical and mental development, face particular vulnerabilities and need special safeguards and care, including appropriate legal protection,

Emphasizing also that children in contact with the justice system as victims, witnesses or alleged or recognized offenders must be treated in a child-sensitive manner and with respect for their rights, dignity and needs,

Stressing that the right for all to have access to justice and the provision that child victims or witnesses of violence and children and juveniles in conflict with the law are entitled to the same legal guarantees and protection as are accorded to adults, including all fair trial guarantees, form an important basis for strengthening the rule of law through the administration of justice,

Recognizing the complementary roles of crime prevention, the criminal justice system, child protection agencies and the health, education and social sectors, as well as civil society, in creating a protective environment and preventing and responding to incidents of violence against children,

Being aware of the different economic, social and cultural contexts of crime prevention and criminal justice prevailing in each Member State,

Recalling its resolution 68/189 of 18 December 2013, in which it requested the United Nations Office on Drugs and Crime to convene a meeting of an open-ended intergovernmental expert group, in collaboration with all relevant United Nations entities, in particular the United Nations Children's Fund, the Office of the High Commissioner and the Special Representative, to develop a draft set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, to be considered by the Commission on Crime Prevention and Criminal Justice at its session following the meeting of the open-ended intergovernmental expert group,

1. *Strongly condemns* all acts of violence against children, reaffirms the duty of the State to protect children from all forms of violence in both public and private settings, and calls for the elimination of impunity, including by investigating and prosecuting, with due process, and punishing all perpetrators;

2. *Expresses its extreme concern* about the secondary victimization of children that may occur within the justice system, and reaffirms the responsibility of States to protect children from this form of violence;

3. *Welcomes* the work done at the meeting of the expert group on the development of draft model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, held in Bangkok from 18 to 21 February 2014, and takes note with appreciation of its report;[21]

[21] See E/CN.15/2014/14/Rev.1.

4. *Adopts* the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, annexed to the present resolution;

5. *Urges* Member States to take all necessary and effective measures, as appropriate, to prevent and respond to all forms of violence against children who come in contact with the justice system as victims, witnesses or alleged or recognized offenders, and to provide for consistency in their laws and policies and in the application thereof in order to promote the implementation of the Model Strategies and Practical Measures;

6. *Also urges* Member States to remove any barrier, including any kind of discrimination, that children may face in accessing justice and in effectively participating in criminal proceedings, to pay particular attention to the issue of the rights of the child and the child's best interests in the administration of justice and to ensure that children in contact with the criminal justice system are treated in a child-sensitive manner, taking into account the specific needs of those children who are in particularly vulnerable situations;

7. *Encourages* Member States that have not yet integrated crime prevention and children's issues into their overall rule of law efforts to do so, and to develop and implement a comprehensive crime prevention and justice system policy, with a view to preventing the involvement of children in criminal activities, promoting the use of alternative measures to detention, such as diversion and restorative justice, adopting reintegration strategies for former child offenders and complying with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

8. *Encourages* Member States, where appropriate, to strengthen multisectoral coordination among all relevant government agencies in order to better prevent, identify and respond to the multidimensional nature of violence against children and to ensure that criminal justice and other relevant professionals are adequately trained to deal with children;

9. *Also encourages* Member States to establish and strengthen child rights monitoring and accountability systems, as well as mechanisms for the systematic research, collection and analysis of data on violence against children and on the systems designed to address violence against children, with a view to assessing the scope and incidence of such violence and the impact of policies and measures adopted to reduce it;

10. *Stresses* the importance of preventing incidents of violence against children and of responding in a timely manner to support child victims of violence, including to prevent their revictimization, and invites Member States to adopt knowledge-based, comprehensive and multisectoral prevention strategies and policies to address the factors that give rise to violence against children and that expose them to the risk of violence;

11. *Requests* the United Nations Office on Drugs and Crime to take steps to ensure the broad dissemination of the Model Strategies and Practical Measures;

12. *Also requests* the United Nations Office on Drugs and Crime, at the request of Member States, to identify the needs and capacities of countries and to

provide technical assistance and advisory services to Member States in order to develop or strengthen, as appropriate, legislation, procedures, policies and practices to prevent and respond to violence against children and to ensure respect for the rights of the child in the administration of justice;

13. *Further requests* the United Nations Office on Drugs and Crime to closely coordinate with the institutes of the United Nations crime prevention and criminal justice programme and with other relevant national and regional institutes with a view to developing training materials and offering training and other capacity-building opportunities, in particular for practitioners working in the areas of crime prevention and criminal justice and for providers of support services for the victims of violence against children and for child witnesses within the criminal justice system, and to disseminate information on successful practices;

14. *Invites* the Commission on Crime Prevention and Criminal Justice and the Human Rights Council, as well as the United Nations Office on Drugs and Crime, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the Special Representative of the Secretary-General on Violence against Children, the Committee on the Rights of the Child and relevant regional and international intergovernmental and non-governmental organizations, to strengthen cooperation in supporting the efforts of States to eliminate all forms of violence against children;

15. *Encourages* Member States to promote country-to-country, regional and interregional technical cooperation in sharing best practices in the implementation of the Model Strategies and Practical Measures;

16. *Invites* Member States and other donors to provide extrabudgetary contributions for the purposes outlined in the present resolution, in accordance with the rules and procedures of the United Nations.

Annex

United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice

Introduction

1. The United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice have been prepared to help Member States to address the need for integrated strategies for violence prevention and child protection, thereby offering children the protection to which they have an unqualified right.

2. The Model Strategies and Practical Measures take into consideration the complementary roles of the justice system on the one hand, and the child protection, social welfare, health and education sectors on the other, in creating a protective environment and in preventing and responding to violence against children. They draw attention to the need for Member States to ensure that criminal law is used appropriately and effectively to criminalize various forms of violence against children, including forms of violence prohibited by international law. The Model Strategies and Practical Measures will enable criminal justice institutions to strengthen and focus their efforts to prevent and respond to violence against

children, and to increase their diligence in investigating, convicting and rehabilitating perpetrators of violent crimes against children.

3. The Model Strategies and Practical Measures take into account the fact that children who are alleged as, accused of or recognized as having infringed criminal law, especially those who are deprived of their liberty, face a high risk of violence. Because special attention must be paid to the especially vulnerable situation of these children, the Model Strategies and Practical Measures are aimed at not only improving the effectiveness of the criminal justice system in preventing and responding to violence against children, but also at protecting children against any violence that may result from their contact with the justice system.

4. The Model Strategies and Practical Measures reflect the fact that some of the perpetrators of violence against children are themselves children and often victims of violence. The need to protect child victims in such instances cannot negate the rights of all of the children involved to have their best interests considered as a matter of primary importance.

5. The Model Strategies and Practical Measures are grouped into three broad categories: general prevention strategies to address violence against children as part of broader child protection and crime prevention initiatives; strategies and measures to improve the ability of the criminal justice system to respond to crimes of violence against children and to protect child victims effectively; and strategies and measures to prevent and respond to violence against children in contact with the justice system. Good practices are set forth, to be considered and used by Member States within the framework of their national legal systems in a manner consistent with applicable international instruments, including relevant human rights instruments, and taking into consideration relevant United Nations standards and norms in crime prevention and criminal justice. Member States should be guided by the Model Strategies and Practical Measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation.

Definitions

6. For the purposes of the Model Strategies and Practical Measures:

(a) "Child" means, as in article 1 of the Convention on the Rights of the Child,[22] "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier";

(b) A "child protection system" refers to the national legal framework, formal and informal structures, functions and capacities to prevent and respond to violence against and abuse, exploitation and neglect of children;

(c) "Children in contact with the justice system" refers to children who come into contact with the justice system as victims or witnesses, children alleged as, accused of or recognized as having infringed criminal law, or children who are in any other situation requiring legal proceedings, for example regarding their care, custody or protection, including cases involving children of incarcerated parents;

[22] United Nations, *Treaty Series*, vol. 1577, No. 27531.

(d) "Child-sensitive" denotes an approach that takes into consideration the child's right to protection and individual needs and views in accordance with the age and maturity of the child;

(e) "Child victims" denotes children who are victims of crime regardless of their role in the offence or in the prosecution of the alleged offender or group of offenders;

(f) "Crime prevention" comprises strategies and measures that seek to reduce the risk of crimes occurring and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence the multiple causes of crime;

(g) "Criminal justice system" refers to laws, procedures, professionals, authorities and institutions that apply to victims, witnesses and persons alleged as, accused of or recognized as having infringed criminal law;

(h) "Deprivation of liberty" means any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which that person is not permitted to leave at will, by order of any judicial, administrative or other public authority;

(i) "Diversion" refers to a process for dealing with children alleged as, accused of or recognized as having infringed criminal law as an alternative to judicial proceedings, with the consent of the child and the child's parents or legal guardian;

(j) "Informal justice system" refers to the resolution of disputes and the regulation of conduct by adjudication or with the assistance of a neutral third party that is not part of the judiciary as established by law and/or whose substantive, procedural or structural foundation is not primarily based on statutory law;

(k) A "juvenile justice system" comprises laws, policies, guidelines, customary norms, systems, professionals, institutions and treatment specifically applicable to children alleged as, accused of or recognized as having infringed criminal law;

(l) "Legal aid" includes legal advice, assistance and representation for persons detained, arrested or imprisoned as a result of being suspected or accused of or charged with a criminal offence, and for victims and witnesses in the criminal justice process, which is provided at no cost for those without sufficient means or when the interests of justice so require. Furthermore, "legal aid" is intended to include the concepts of legal education, access to legal information and other services provided for persons through alternative dispute resolution mechanisms and restorative justice processes;

(m) A "protective environment" is an environment conducive to ensuring to the maximum extent possible the survival and development of the child, including physical, mental, spiritual, moral, psychological and social development, in a manner compatible with human dignity;

(n) "Restorative justice programme" means any programme that uses restorative processes and seeks to achieve restorative outcomes;

(o) "Restorative process" means any process in which the victim and the offender and, where appropriate, any other individuals or community members

affected by a crime participate actively together in the resolution of matters arising from the crime, generally with the help of a facilitator. Restorative processes may include mediation, conciliation, conferencing and sentencing circles;

(p) "Violence" means all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.

Guiding principles

7. In implementing the Model Strategies and Practical Measures at the national level, Member States should be guided by the following principles:

(a) That the inherent rights of the child to life, survival and development are protected;

(b) That the right of the child to have his or her best interests as a primary consideration in all matters involving or affecting him or her is respected, whether the child is a victim or a perpetrator of violence, as well as in all measures of prevention and protection;

(c) That every child is protected from all forms of violence without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;

(d) That the child is informed of his or her rights in an age-appropriate manner and that the right of the child to be consulted and to express his or her views freely in all matters affecting him or her is fully respected;

(e) That all strategies and measures to prevent and respond to violence against children are designed and implemented from a gender perspective that specifically addresses gender-based violence;

(f) That the specific vulnerabilities of children and the situations they find themselves in, including children in need of special protection and children committing criminal offences under the age of criminal responsibility, should be addressed as part of comprehensive violence prevention strategies and identified as a priority for action;

(g) That measures to protect child victims of violence are non-coercive and do not compromise the rights of these children.

Part one

Prohibiting violence against children, implementing broad prevention measures and promoting research and data collection

8. Child protection should begin with the proactive prevention of violence and the explicit prohibition of all forms of violence. Member States have the duty to take appropriate measures that effectively protect children from all forms of violence.

I. Ensuring the prohibition by law of all forms of violence against children

9. Recognizing the importance of the existence of a sound legal framework which prohibits violence against children and empowers authorities to respond appropriately to incidents of violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to ensure:

(a) That their laws are comprehensive and effective in prohibiting and eliminating all forms of violence against children and that provisions that justify, allow for or condone violence against children or may increase the risk of violence against children are removed;

(b) That cruel, inhuman or degrading treatment or punishment of children is prohibited and eliminated in all settings, including schools.

10. Because a countless number of girls and boys fall victim to harmful practices undertaken under different pretexts or grounds, including female genital mutilation or cutting, forced marriage, breast ironing and witchcraft rituals, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To establish by law a clear and comprehensive prohibition of all harmful practices against children, supported by detailed provisions in relevant legislation to secure the effective protection of girls and boys from those practices, to provide means of redress and to fight impunity;

(b) To remove from all national legislation any legal provisions that provide justification or allow for consent to harmful practices against children;

(c) To ensure that resorting to informal justice systems does not jeopardize children's rights or preclude child victims from accessing the formal justice system, and to establish the supremacy of international human rights law.

11. Recognizing the serious nature of many forms of violence against children and the need to criminalize these conducts, Member States should review and update their criminal law to ensure that the following acts are fully covered thereunder:

(a) Engaging in sexual activities with a child who is under the legal age of consent, ensuring as well that an appropriate "age of protection" or "legal age of consent", below which a child cannot legally consent to sexual activity, is set;

(b) Engaging in sexual activities with a child using coercion, force or threats, abusing a position of trust, authority or influence over a child, including within the family, and abusing a particularly vulnerable situation of a child, because of a mental or physical disability or a situation of dependence;

(c) Committing sexual violence against a child, including sexual abuse, sexual exploitation and sexual harassment through or facilitated by the use of new information technologies, including the Internet;

(d) The sale of or trafficking in children for any purpose and in any form;

(e) Offering, delivering or accepting, by whatever means, a child for the purpose of sexual exploitation of the child, transfer of organs of the child for profit or engagement of the child in forced labour;

(f) Offering, obtaining, procuring or providing a child for child prostitution;

(g) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing child pornography;

(h) Slavery or practices similar to slavery, debt bondage and serfdom and forced labour, including forced or compulsory recruitment of children for use in armed conflict;

(i) Committing gender-related violence against a child and, in particular, gender-related killing of girls.

II. Implementing comprehensive prevention programmes

12. General and context-specific measures should be developed by Member States to prevent violence against children. Prevention measures, building on a growing understanding of factors that give rise to violence against children and addressing the risks of violence to which children are exposed, should be part of a comprehensive strategy to eliminate violence against children. Criminal justice agencies, working together with, as appropriate, child protection, social welfare, health and education agencies and civil society organizations, should develop effective violence prevention programmes as part of both broader crime prevention programmes and initiatives to build a protective environment for children.

13. Preventing the victimization of children through all available means should be recognized as a crime prevention priority. Member States are therefore urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To strengthen existing child protection systems and to help to create a protective environment for children;

(b) To adopt measures to prevent violence within the family and the community, address cultural acceptance or tolerance of violence against children, including gender-related violence, and challenge harmful practices;

(c) To encourage and support the development and implementation at every level of government of comprehensive plans for the prevention of violence against children in all of its forms, based on in-depth analysis of the problem and incorporating:

(i) An inventory of existing policies and programmes;

(ii) Well-defined responsibilities for the relevant institutions, agencies and personnel involved in preventive measures;

(iii) Mechanisms for the appropriate coordination of preventive measures between governmental and non-governmental agencies;

(iv) Evidence-based policies and programmes that are continually monitored and carefully evaluated in the course of implementation;

(v) Parental capacity-building and family support as the primary preventive measures, while strengthening child protection in school and in the community;

(vi) Methods for effectively identifying, mitigating and reducing the risk of violence against children;

(vii) Public awareness-raising and community involvement in prevention policies and programmes;

(viii) Close interdisciplinary cooperation, with the involvement of all relevant agencies, civil society groups, local and religious leaders and, where relevant, other stakeholders;

(ix) Participation of children and families in policies and programmes for the prevention of criminal activities and victimization;

(d) To identify the specific vulnerabilities and risks faced by children in different situations and to adopt proactive measures to reduce those risks;

(e) To take appropriate actions to support and protect all children, in particular children in different situations of vulnerability and children in need of special protection;

(f) To be guided by the Guidelines for the Prevention of Crime[23] and play a leading role in developing effective crime prevention strategies and in creating and maintaining institutional frameworks for their implementation and review.

14. The risk of violence against children committed by children should be addressed by specific prevention measures, including measures:

(a) To prevent physical, psychological and sexual violence exerted, often through bullying, by children against other children;

(b) To prevent the violence sometimes exerted by groups of children, including violence by youth gangs;

(c) To prevent the recruitment, use and victimization of children by youth gangs;

(d) To identify and protect children, in particular girls, who are linked to gang members and who are vulnerable to sexual exploitation;

(e) To encourage law enforcement agencies to use multi-agency intelligence to proactively profile local risk and, accordingly, to direct enforcement and disruption activity.

15. The risk of violence associated with trafficking in children and various forms of exploitation by criminal groups should be addressed by specific prevention measures, including measures:

(a) To prevent the recruitment, use and victimization of children by criminal groups, terrorist entities or violent extremist groups;

(b) To prevent the sale of children, trafficking in children, child prostitution and child pornography;

(c) To prevent the production, possession and dissemination of images and all other materials that depict, glorify or incite violence against children, including

[23] Economic and Social Council resolution 2002/13, annex.

when perpetrated by children, particularly through information technologies, such as the Internet, in particular social networking environments.

16. Broad public education and awareness campaigns are required. Member States, in cooperation with educational institutions, non-governmental organizations, relevant professional associations and the media, are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To implement and support effective public awareness and public education initiatives that prevent violence against children by promoting respect for their rights and by educating their families and communities about the harmful impact of violence;

(b) To raise awareness of how to prevent and respond to violence against children among persons who have regular contact with children in the justice, child protection, social welfare, health and education sectors and in areas relating to sport, culture and leisure activities;

(c) To encourage and support inter-agency cooperation in implementing violence prevention activities and programmes, planning and delivering public information campaigns, training professionals and volunteers, gathering data on the incidence of violence against children, monitoring and evaluating the effectiveness of programmes and strategies and exchanging information on good practices and lessons learned;

(d) To encourage the private sector, in particular the information and communications technology sector, the tourism and travel industry and the banking and finance sectors, and civil society to participate in the development and implementation of policies to prevent the exploitation and abuse of children;

(e) To encourage the media to contribute to community efforts to prevent and respond to violence against children and to promote changes in social norms that tolerate such violence, and to encourage the establishment of media-led ethical guidelines that will allow child-friendly coverage and reportage on cases involving child victims of abuse, exploitation, neglect and discrimination, taking into consideration the right of children to privacy;

(f) To involve children, their families, communities, local leaders, religious leaders and criminal justice and other relevant professionals in discussing the impact and detrimental effects of violence against children and ways to prevent violence and eliminate harmful practices;

(g) To challenge attitudes that condone or normalize violence against children, including the tolerance and acceptance of corporal punishment and harmful practices, and the acceptance of violence.

17. In order to address the vulnerability and the specific risks of violence faced by unaccompanied children, migrant children and children who are refugees or asylum seekers, Member States are urged, as appropriate and without prejudice to their obligations under international law:

(a) To ensure that these children have access to independent assistance, advocacy and advice, that they are always placed in appropriate accommodation and treated in a manner that is fully compatible with their best interests, that they are separated from adults when necessary to protect them and, when applicable, to sever

relationships with smugglers and traffickers, and that a legally appointed representative is available from the moment an unaccompanied child is detected by the authorities;

(b) To conduct regular analyses of the nature of the threats faced by these children and to assess their needs for assistance and protection;

(c) To uphold the principle of burden-sharing and solidarity with the host country and to enhance international cooperation.

III. Promoting research and data collection, analysis and dissemination

18. Member States, the institutes of the United Nations crime prevention and criminal justice programme network, relevant entities of the United Nations system, other relevant international organizations, research institutes, non-governmental organizations and professional associations are urged, as appropriate:

(a) To set up and strengthen mechanisms for the systematic and coordinated collection of data on violence against children, including on violence against children in contact with the justice system;

(b) To monitor and publish periodic reports on cases of violence against children reported to the police and other criminal justice agencies, including the number of cases, apprehension or arrest and clearance rates, prosecution and case disposition with regard to the alleged offenders and the prevalence of violence against children and, in so doing, to make use of data derived from population-based surveys. The reports should disaggregate data by type of violence and include, for example, information on the age and sex of the alleged offender and his or her relationship to the victim;

(c) To develop a multilevel system of reporting, starting from the most basic unit of government to the national level and to allow, in accordance with national legislation, the exchange of relevant information, statistics and data among all relevant institutions to help to ensure comprehensive data gathering for policy and programme development that will promote child protection;

(d) To develop population-based surveys and child-sensitive methodologies aimed at collecting data regarding children, including crime and victimization surveys, to allow for assessment of the nature and extent of violence against children;

(e) To develop and implement indicators relating to the performance of the justice system in preventing and responding to violence against children;

(f) To develop and monitor indicators relating to the prevalence of violence against children in contact with the justice system;

(g) To evaluate the efficiency and effectiveness of the justice system in meeting the needs of child victims of violence and preventing such violence, including with regard to the way in which the justice system treats child victims of violence, the use it makes of different intervention models and the degree to which it cooperates with other agencies responsible for the protection of children, and also to evaluate and assess the impact of current legislation, rules and procedures relating to violence against children;

(h) To collect, analyse and disseminate data on independent inspections of places of detention, access to complaint mechanisms by children in detention and outcomes of complaints and investigations in accordance with the obligations of States under international human rights law;

(i) To use research studies and data collection to inform policy and practice and to exchange and disseminate information concerning successful violence prevention practices;

(j) To encourage and provide sufficient financial support for research on violence against children;

(k) To ensure that data, periodic reports and research are aimed at supporting the efforts of Member States to address violence against children and are used in the framework of constructive cooperation and dialogue with and among Member States.

Part two

Enhancing the ability and capacity of the criminal justice system to respond to violence against children and protect child victims

IV. Establishing effective detection and reporting mechanisms

19. In order to respond to the need to detect and report acts of violence against children, Member States are urged, as appropriate:

(a) To ensure that measures are taken to identify risk factors for different types of violence and identify signs of actual violence in order to trigger appropriate intervention as early as possible;

(b) To ensure that criminal justice professionals who routinely come into contact with children in the course of their work are aware of risk factors and indicators of various forms of violence, in particular at the national level, and that they have received guidance and are trained on how to interpret such indicators and have the knowledge, willingness and ability necessary to take appropriate action, including the provision of immediate protection;

(c) To legally require professionals who routinely come into contact with children in the course of their work to notify appropriate authorities if they suspect that a child is, or is likely to become, a victim of violence;

(d) To ensure that safe child- and gender-sensitive approaches, procedures and complaint, reporting and counselling mechanisms are established by law, are in conformity with the obligations of Member States under the relevant international human rights instruments, take into account relevant international standards and norms on crime prevention and criminal justice and are easily accessible to all children and their representative or a third party without fear of reprisal or discrimination;

(e) To ensure that individuals, and in particular children, reporting in good faith alleged incidents of violence against children are protected against all forms of reprisal;

(f) To work with Internet service providers, mobile telephone companies, search engines, public Internet facilities and others to facilitate and, where feasible,

enact appropriate legislative measures to ensure the reporting of any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes, defined as child pornography under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[24] to the police or other authorized bodies and the blocking of access to websites where such material is available or the deletion of illegal content, and to keep records, in accordance with the law, and preserve evidence for a period of time and as determined by law for the purpose of investigation and prosecution.

V. Offering effective protection to child victims of violence

20. In order to more effectively protect child victims of violence through the criminal justice process and avoid their secondary victimization, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to take appropriate measures:

(a) To ensure that laws clearly define the roles and responsibilities of government departments and define standards for the actions of other institutions, services and facilities responsible for the detection of violence against children and the care and protection of children, in particular in cases of domestic violence;

(b) To ensure that police and other law enforcement agencies have, with judicial authorization where required by national law, adequate powers to enter premises and conduct arrests in cases of violence against children and to take immediate measures to ensure the safety of the children;

(c) To ensure that police, prosecutors, judges and all other relevant professionals who may be in contact with child victims respond promptly to incidents of violence against children and that relevant cases are managed expeditiously and efficiently;

(d) To ensure that criminal justice and other relevant professionals, in dealing with cases of child victims of violence, pay particular attention to child- and gender-sensitive approaches, including through the use of modern technologies in different stages of criminal investigations and criminal proceedings;

(e) To ensure that national standards, procedures and protocols are developed and implemented among relevant national actors in order to respond with sensitivity to child victims of violence whose physical or psychological integrity remains at serious risk and requires their urgent removal from the dangerous context, and that temporary protection and care are provided in an appropriate place of safety pending a full determination of the best interests of the child;

(f) To ensure that the police, courts and other competent authorities have the legal authority to issue and enforce protection measures such as restraining or barring orders in cases of violence against children, including removal of the perpetrator from the domicile and prohibiting further contact with the victim and other affected parties inside and outside the domicile, as well as to impose penalties for breaches of those orders in accordance with national legislation, and to ensure that, when the child victim of violence remains under the care and protection of the

[24] United Nations, *Treaty Series*, vol. 2171, No. 27531.

non-abusive parent, the parent can safeguard the child and that such protective measures are not dependent on the initiation of criminal proceedings;

(g) To ensure that a registration system is established for judicial protection and restraining or barring orders, where such orders are permitted by national law, so that police and other criminal justice officials can quickly determine whether such an order is in force;

(h) To ensure that an informal or mediated settlement of cases involving violence against children takes place only when it is in the best interests of the child, and does not involve harmful practices, such as forced marriage, taking into account any power imbalance and the vulnerability of the child or his or her family in consenting to a settlement, with due regard for any future risk to the safety of the child or other children;

(i) To ensure that child victims of violence and their families have access to appropriate mechanisms or procedures in order to obtain redress and reparation, including from the State, and that relevant information about those mechanisms is publicized and easily accessible.

21. Recognizing the fact that, for prosecutions to be effective, it is often necessary for child victims of violence to participate in the criminal justice process, that in some jurisdictions children can be required or compelled to testify and that these children are vulnerable and in need of special protection, assistance and support in order to prevent further hardship and trauma that may result from their participation in the criminal justice process, Member States are required in this regard to ensure that the child's privacy is fully respected at all stages of the proceedings and are urged, as appropriate:

(a) To ensure the availability for children of special services, physical and mental health care and protection that take into account gender and are appropriate to the age, level of maturity and needs of the child in order to prevent further hardship and trauma and promote the physical and psychological recovery and social reintegration of child victims of violence;

(b) To ensure that children who have been subjected to sexual abuse, and especially girls who have become pregnant or children living with HIV/AIDS or other sexually transmitted diseases as a result of the abuse, receive age-appropriate medical advice and counselling and are provided with the requisite physical and mental health care and support;

(c) To ensure that child victims receive assistance from support persons commencing at the initial report and continuing until such services are no longer required;

(d) To ensure that professionals who are responsible for assisting child victims make every effort to coordinate support to avoid unnecessary procedures and limit the number of interviews.

VI. Ensuring effective investigation and prosecution of incidents of violence against children

22. In order to effectively investigate and prosecute incidents of violence against children and bring the perpetrators to justice, Member States are urged, as

appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that the primary responsibility for initiating investigations and prosecutions lies with the police, the prosecution and other competent authorities and does not require an official complaint to be filed by the child victim of violence or a parent or legal guardian of the child;

(b) To adopt and implement policies and programmes aimed at guiding all decisions concerning the prosecution of offences of violence against children and ensuring the fairness, integrity and effectiveness of such decisions;

(c) To ensure that the applicable laws, policies, procedures, programmes and practices related to violence against children are consistently and effectively implemented by the criminal justice system;

(d) To ensure that child-sensitive investigation procedures are adopted and implemented so as to ensure that violence against children is correctly identified and to help provide evidence for administrative, civil and criminal proceedings, while according due assistance to children with special needs;

(e) To develop and implement policies and appropriate responses regarding the investigation and collection of evidence, in particular bodily samples, that take into account the needs and views of child victims of violence in accordance with the age and maturity of child victims, respect their dignity and integrity and minimize intrusion into their lives, while abiding by national standards for the collection of evidence;

(f) To ensure that the persons investigating alleged incidents of violence against children have the duty, powers and necessary authorization to obtain all the information necessary to the investigation, in accordance with criminal procedure as laid out in national law, and have at their disposal all the budgetary and technical resources necessary for effective investigation;

(g) To ensure that great care is taken to avoid subjecting a child victim of violence to further harm through the process of the investigation, including by inviting and giving due weight to the child's views in accordance with the age and maturity of the child and adopting child-sensitive and gender-sensitive investigation and prosecution practices;

(h) To ensure that decisions on the apprehension or arrest, detention and terms of any form of release of an alleged perpetrator of violence against a child take into account the need for the safety of the child and others related to the child, and that such procedures also prevent further acts of violence.

VII. Enhancing cooperation among various sectors

23. Acknowledging the complementary roles of the criminal justice system, child protection agencies, health, education and social service sectors and, in some cases, informal justice systems in creating a protective environment and preventing and responding to incidents of violence against children, Member States are urged, as appropriate:

(a) To ensure effective coordination and cooperation among the criminal justice, child protection, social welfare, health and education sectors in detecting,

reporting and responding to violence against children and protecting and assisting child victims;

(b) To establish stronger operational links, particularly in emergency situations, between health and social service agencies, both public and private, and criminal justice agencies for the purposes of reporting, recording and responding appropriately to acts of violence against children, while protecting the privacy of child victims of violence;

(c) To establish stronger links between informal justice systems and justice and child protection institutions;

(d) To develop information systems and inter-agency protocols to facilitate the exchange of information and enable cooperation in identifying incidents of violence against children, responding to them, protecting child victims of violence and holding perpetrators accountable, in accordance with national laws on data protection;

(e) To ensure that violent acts against children, when suspected by health and social services or child protection agencies, are promptly reported to the police and other law enforcement agencies;

(f) To promote the establishment of specialized units specifically trained to deal with the complexities and sensitivities relating to child victims of violence, from which victims can receive comprehensive assistance, protection and intervention services, including health and social services, legal aid and police assistance and protection;

(g) To ensure that adequate medical, psychological, social and legal services sensitive to the needs of child victims of violence are in place to enhance the criminal justice management of cases involving violence against children, to encourage the development of specialized health services, including comprehensive, free and confidential forensic examinations by trained health providers and appropriate treatment, including HIV-specific treatment, and to facilitate and support inter-agency referrals of child victims for services;

(h) To provide support to children whose parents or caregivers are deprived of liberty in order to prevent and address the risk of violence such children may be exposed to as a result of the parents' or caregiver's actions or situation.

VIII. Improving criminal proceedings in matters involving child victims of violence

24. With respect to criminal proceedings in matters involving child victims of violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that comprehensive services are provided and protection measures are taken to ensure the safety, privacy and dignity of victims and their families at all stages of the criminal justice process, without prejudice to the ability or willingness of the victim to participate in an investigation or prosecution, and to protect them from intimidation and retaliation;

(b) To ensure that the child's views are given due weight in accordance with the age and maturity of the child, that the child is provided the opportunity to

participate fully in any judicial and administrative proceedings, that every child is treated as a capable witness and that his or her testimony is not presumed to be invalid or untrustworthy by reason of the child's age alone, as long as the court or other competent authority deems that his or her age and maturity allow the giving of intelligible and credible testimony, with or without communication aids and other assistance;

(c) To ensure, in appropriate cases, that child victims of violence are not required to testify as part of the criminal justice process without the knowledge of their parents or legal guardians, that a child's refusal to testify does not constitute a criminal or other offence and that child victims of violence are able to testify in criminal proceedings through adequate measures and child-friendly practices that facilitate such testimony by protecting their privacy, identity and dignity, ensuring their safety before, during and after legal proceedings, avoiding secondary victimization and respecting their need and legal right to be heard while recognizing the legal rights of the accused;

(d) To ensure that child victims of violence, their parents or legal guardians and legal representatives, from the first contact with the justice system and throughout the judicial proceedings, are promptly and adequately informed of, inter alia, the rights of the child, the relevant procedures, available legal aid and the progress and disposition of the specific case;

(e) To ensure that the child victim's parents or legal guardian and, where appropriate, a child protection professional accompany the child during interviews conducted as part of the investigation and during trial proceedings, inter alia, while testifying as a witness, except in the following circumstances, as dictated by the best interests of the child:

(i) The parent(s) or the legal guardian are the alleged perpetrator(s) of the offence committed against the child;

(ii) The court deems that it is not in the best interests of the child to be accompanied by his or her parent(s) or legal guardian, including on the basis of credible concern expressed by the child;

(f) To ensure that proceedings relevant to the testimony of the child are explained to the child and conducted in language that is simple and comprehensible to the child and that interpretation into language that the child understands is made available;

(g) To protect the privacy of child victims of violence as a matter of primary importance, to protect them from undue exposure to the public, for example by excluding the public and the media from the courtroom during the child's testimony, and to protect information relating to a child's involvement in the justice process by maintaining confidentiality and restricting disclosure of information that may lead to identification of the child;

(h) To ensure, within the framework of national legal systems, that criminal proceedings involving child victims take place as soon as possible, unless delays are in the child's best interest;

(i) To provide for the use of child-sensitive procedures, including interview rooms designed for children, interdisciplinary services for child victims integrated within the same location, modified court environments that take child witnesses into

consideration, recesses during a child's testimony, hearings scheduled at times of day appropriate to the age and maturity of the child, an appropriate notification system to ensure that the child goes to court only when necessary and other appropriate measures to facilitate the child's testimony;

(j) To ensure that, when child victims of violence may be the subject of intimidation, threats or harm, appropriate conditions are put in place to ensure their safety and that protective measures are taken, such as:

(i) Preventing direct contact between a child victim and the accused at any point during the criminal justice process;

(ii) Requesting restraining orders from a competent court, supported by a registry system;

(iii) Requesting a pretrial detention order for the accused from a competent court, with "no contact" bail conditions;

(iv) Requesting an order from a competent court to place the accused under house arrest if necessary;

(v) Requesting protection for a child victim by the police or other relevant agencies and safeguarding the whereabouts of the child from disclosure.

25. Recognizing the serious nature of violence against children and taking into account the severity of the physical and psychological harm caused to child victims, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to ensure, when informal justice systems are resorted to, that violence against children is appropriately denounced and deterred, that perpetrators of violence against children are held accountable for their actions and that redress, support and compensation for child victims is provided.

26. Recognizing that measures to protect and assist child victims of violence must continue after the person accused of that violence has been convicted and sentenced, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure the right of a child victim of violence, or his or her parents or legal guardian, to be notified of the offender's release from detention or imprisonment if they so wish;

(b) To develop, implement and evaluate treatment and reintegration and rehabilitation programmes for those convicted of violence against children that prioritize the safety of victims and the prevention of recidivism;

(c) To ensure that judicial and correctional authorities, as appropriate, monitor compliance by perpetrators with any treatment or other court order;

(d) To ensure that the risk to a child victim of violence and the best interests of that child are considered at the time of making decisions concerning the release of the offender from detention or imprisonment or the re-entry of the offender into society.

IX. Ensuring that sentencing reflects the serious nature of violence against children

27. Recognizing the serious nature of violence against children, while taking into account the fact that the perpetrators of that violence may also be children, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that offences involving violence against children are, by law, punishable by appropriate penalties that take into account their grave nature;

(b) To ensure that national law takes into account specific factors which may aggravate a crime, including the age of the victim, the fact that the victim is severely handicapped mentally or intellectually, repeated violent acts, abuse of a position of trust or authority and perpetration of violence against a child in a close relationship with the offender;

(c) To ensure that people who commit acts of violence against children while under the influence of alcohol, drugs or other substances are not exempt from criminal responsibility;

(d) To ensure that individuals can be prohibited or restrained by a court order or other means, within the framework of the national legal system, from harassing, intimidating or threatening children;

(e) To ensure that safety risks, including the vulnerability of victims, are taken into account in decisions concerning non-custodial sentences, bail, conditional release, parole or probation, especially when dealing with repeat and dangerous offenders;

(f) To make available to the courts, through legislation, a full range of sentencing dispositions to protect the victim, other affected persons and society from further violence, and to rehabilitate the perpetrator, as appropriate;

(g) To review and update national law to ensure that the decisions made by the courts in cases involving violent offences against children:

(i) Denounce and deter violence against children;

(ii) Hold offenders accountable, with due regard to their age and maturity, for their acts involving violence against children;

(iii) Promote victim and community safety, including by separating the offender from the victim and, if necessary, from society;

(iv) Allow for the severity of the physical and psychological harm caused to the victim to be taken into consideration;

(v) Take into account the impact on victims and, if affected, their family members, of sentences imposed on perpetrators;

(vi) Provide reparations for harm caused as a result of the violence;

(vii) Promote the rehabilitation of the perpetrator, including by promoting a sense of responsibility in offenders and, where appropriate, rehabilitating and reintegrating perpetrators into the community.

X. Strengthening capacity and training of criminal justice professionals

28. Recognizing the responsibility of criminal justice professionals to prevent and respond to violence against children and to protect child victims of violence, as well as the need to facilitate and support this role, Member States are urged, as appropriate:

(a) To take measures and allocate adequate resources to develop the capacity of professionals within the criminal justice system to actively prevent violence against children and to protect and assist child victims of violence;

(b) To enable close cooperation, coordination and collaboration between criminal justice officials and other relevant professionals, especially those from the child protection, social welfare, health and education sectors;

(c) To design and implement training programmes for criminal justice professionals on the rights of the child, in particular on the Convention on the Rights of the Child and international human rights law, and to provide information on appropriate ways to deal with all children, in particular those who might be subject to discrimination, and to educate criminal justice professionals about the stages of child development, the process of cognitive development, the dynamics and nature of violence against children, the difference between regular peer groups and gangs, and the appropriate management of children who are under the influence of alcohol or drugs;

(d) To design and deliver guidance, information and training to informal justice system actors in order to ensure that their practices, legal interpretations and decisions comply with international human rights law and effectively protect children against all forms of violence;

(e) To design and implement mandatory, cross-cultural gender- and child-sensitivity training modules for criminal justice professionals on the unacceptability of all forms of violence against children and on the harmful impact on and consequences for all those who experience such violence;

(f) To ensure that criminal justice professionals receive adequate training and continuing education on all relevant national laws, policies and programmes, as well as relevant international legal instruments;

(g) To promote the development and use of specialized expertise among criminal justice professionals, including through the establishment, where possible, of specialized units or personnel and specialized courts or dedicated court time, and to ensure that all police officers, prosecutors, judges and other criminal justice professionals receive regular and institutionalized training to sensitize them to gender- and child-related issues and to build their capacity with regard to responding to violence against children;

(h) To ensure that criminal justice officials and other relevant authorities are adequately trained in their respective areas of competence:

(i) To identify and respond appropriately to the specific needs of child victims of violence;

(ii) To receive and treat all child victims of violence respectfully, with a view to preventing secondary victimization;

(iii) To handle complaints confidentially;

(iv) To conduct effective investigations of alleged incidents of violence against children;

(v) To interact with child victims in an age-appropriate and child- and gender-sensitive manner;

(vi) To conduct safety assessments and implement risk management measures;

(vii) To enforce protection orders;

(i) To support the development of codes of conduct for criminal justice professionals that prohibit violence against children, including safe complaint and referral procedures, and to encourage relevant professional associations to develop enforceable standards of practice and behaviour.

Part three

Preventing and responding to violence against children within the justice system

XI. Reducing the number of children in contact with the justice system

29. Recognizing the importance of avoiding the unnecessary criminalization and penalization of children, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments, to ensure that any conduct not considered a criminal offence or not penalized if committed by an adult is also not considered a criminal offence and not penalized if committed by a child, in order to prevent the child's stigmatization, victimization and criminalization.

30. In this regard, Member States are encouraged not to set the minimum age of criminal responsibility at too low an age level, bearing in mind the emotional, mental and intellectual maturity of children, and in this respect reference is made to the recommendations of the Committee on the Rights of the Child to increase the lower minimum age of criminal responsibility without exception to the age of 12 years as the absolute minimum age, and to continue to increase it to a higher age level.

31. Recognizing that an important and highly effective way of reducing the number of children in the justice system is through diversion measures, restorative justice programmes and the use of non-coercive treatment and education programmes as alternative measures to judicial proceedings, as well as the provision of support for families, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To consider diversion to community-based programmes and to provide police and other law enforcement officers, prosecutors and judges with options for diverting children away from the justice system, including warning and community work, to be applied in combination with restorative justice processes;

(b) To foster close cooperation among the justice, child protection, social welfare, health and education sectors, so as to promote the use and enhanced application of alternative measures to judicial proceedings and to detention;

(c) To consider designing and implementing restorative justice programmes for children as alternative measures to judicial proceedings;

(d) To consider the use of non-coercive treatment, education and assistance programmes as alternative measures to judicial proceedings and the development of alternative non-custodial interventions and effective social reintegration programmes.

XII. Preventing violence associated with law enforcement and prosecution activities

32. Mindful of the fact that police and other security forces can sometimes be responsible for acts of violence against children, Member States are urged, while taking into consideration relevant international legal instruments, to prevent abuse of power, arbitrary detention, corruption and extortion by police officers who target children and their families.

33. Member States are urged to effectively prohibit the use of all forms of violence, torture and other cruel, inhuman or degrading treatment or punishment to obtain information, extract confessions, coerce a child into acting as an informant or agent for the police, or engage a child in activities against his or her will.

34. Mindful of the fact that arrests and investigations are situations in which violence against children can occur, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that all arrests are conducted in conformity with the law, to limit the apprehension, arrest and detention of children to situations in which these measures are necessary as a last resort, and to promote and implement, where possible, alternatives to arrest and detention, including summonses and notices to appear, in cases involving children as alleged perpetrators;

(b) To implement the principle that the apprehension or arrest of children should be conducted in a child-sensitive manner;

(c) To prohibit the use of firearms, electric shock weapons and violent methods to apprehend and arrest children, and to adopt measures and procedures that carefully limit and guide the use of force and instruments of restraint by the police while apprehending or arresting children;

(d) To require, ensure and monitor police compliance with the obligation to notify parents, legal guardians or caregivers immediately following the apprehension or arrest of a child;

(e) To ensure that, when considering whether a parent, legal guardian, legal representative or responsible adult or, when necessary, a child protection professional is to be present at, or to observe a child during, the interview or interrogation process, the best interests of the child as well as other relevant factors are taken into consideration;

(f) To ensure that children are informed of their rights and have prompt access to legal aid during police interrogation and while in police detention, and that they may consult their legal representative freely and fully confidentially;

(g) To review, evaluate and, where necessary, update national laws, policies, codes, procedures, programmes and practices to implement policies and strict

procedures for searching children while respecting their privacy and dignity, for taking intimate and non-intimate samples from child suspects and for assessing the age and gender of a child;

(h) To implement measures to specifically prevent violence related to unlawful practices by the police, including arbitrary arrests and detention and extrajudicial punishment of children for unlawful or unwanted behaviours;

(i) To establish accessible, child-appropriate and safe procedures for children to complain about incidents of violence during their arrest or interrogation or while in police custody;

(j) To ensure that alleged incidents of violence against children during their contact with the police are independently, promptly and effectively investigated and that those alleged to have been implicated in violence against children are removed from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, as well as those conducting the investigation;

(k) To take measures to address the risk of violence and protect children during their transport to a court, hospital or other facility, including the risk of violence while being held in court holding cells together with adults;

(l) To ensure that, when a parent, legal guardian or caregiver is arrested, the child's best interests, care and other needs are taken into account.

XIII. Ensuring that deprivation of liberty is used only as a measure of last resort and for the shortest appropriate period of time

35. Recognizing that limiting the use of detention as a sentence and encouraging the use of alternatives to detention can help to reduce the risk of violence against children within the justice system, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) Not to deprive children of their liberty unlawfully or arbitrarily and, in cases of deprivation of liberty, to ensure that it is in conformity with the law and used only as a measure of last resort and for the shortest appropriate period of time;

(b) To ensure that children have continued access to government-funded legal aid during all stages of the justice process;

(c) To ensure that children can exercise their right to appeal a sentence and obtain the legal aid necessary to do so;

(d) To provide for the possibility of early release and make available aftercare and social reintegration programmes and services;

(e) To facilitate professional specialization, or at least specialized training, for criminal justice professionals dealing with children alleged as, accused of or recognized as having infringed criminal law.

XIV. Prohibiting torture and other cruel, inhuman or degrading treatment or punishment

36. Recognizing that no child should be subjected to torture or other cruel, inhuman or degrading treatment or punishment, Member States are urged:

(a) To review, evaluate and, where necessary, update their national laws to effectively prohibit sentences involving any form of corporal punishment for crimes committed by children;

(b) To review, evaluate and, where necessary, update their national laws to ensure that, under legislation and practice, neither capital punishment nor life imprisonment without the possibility of release is imposed for offences committed by persons when they were under 18 years of age.

XV. Preventing and responding to violence against children in places of detention

37. Recognizing that the majority of children deprived of their liberty are in police custody or pretrial or preventive detention and that those children might be at risk of violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that children in police custody or pretrial or preventive detention can promptly appear before a court or tribunal to challenge that detention and that they have an opportunity to be heard either directly or through a representative or an appropriate body in a manner consistent with the procedural rules of national law, in order to obtain a prompt decision on any such action;

(b) To reduce delays in the justice process, to expedite trials and other proceedings involving children alleged as, accused of or recognized as having infringed criminal law, and to avoid the resulting prolonged or arbitrary detention of children while they await trial or the conclusion of a police investigation;

(c) To ensure the effective oversight and independent monitoring of all cases of police custody or pretrial or preventive detention of children;

(d) To endeavour to reduce pretrial detention by, inter alia, adopting legislative and administrative measures and policies on its preconditions, limitations, duration and alternatives and by taking measures aimed at the implementation of existing legislation, as well as by ensuring access to justice and legal aid.

38. Recognizing that, when children must be detained, the conditions of detention themselves can be conducive to various forms of violence against children, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that all detention facilities have adopted and implemented child-sensitive policies, procedures and practices, and to monitor compliance with them;

(b) To establish a maximum capacity for all places of detention and take concrete and sustained measures to address and reduce overcrowding in such institutions;

(c) To ensure that, in all places of detention, children are separated from adults and girls are separated from boys;

(d) To promote good practices in order to strengthen the protection and safety of children living in custody with an incarcerated parent, including consultation with the parents to determine their views regarding their child's care

during the period of custody and the provision of special mother-and-child units or, where parents are detained for violation of immigration laws, separate family units in order to identify their special needs and accordingly provide appropriate protection;

(e) To facilitate the assessment and classification of children held in detention facilities in order to identify their special needs and accordingly provide appropriate protection and individualize treatment and interventions, including with respect to the specific needs of girls, and to ensure that there is a sufficient array of facilities to accommodate and adequately protect children of different ages or with differing needs;

(f) To ensure that treatment and support is offered to detained children with special needs, including to girls who are pregnant, give birth and/or raise children in detention, and that treatment for mental illness, disabilities, HIV/AIDS and other communicable and non-communicable diseases and drug addiction is offered, and to address the needs of children at risk of committing suicide or other forms of self-harm;

(g) To ensure that appropriate care and protection is provided to children accompanying a parent or legal guardian deprived of liberty on any ground, including for a violation of immigration law;

(h) To review, update and improve safety and security policies and practices within places of detention to reflect the obligation of the authorities to ensure the safety of children and protect them against all forms of violence, including violence among children;

(i) To prevent all forms of discrimination against or ostracism or stigmatization of detained children;

(j) To take strict measures to ensure that all alleged incidents of violence, including sexual abuse of children in a place of detention, are immediately reported and independently, promptly and effectively investigated by appropriate authorities and, when well founded, effectively prosecuted.

39. Recognizing also that it is imperative to minimize the risk of violence against children in detention, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure that children in detention and their parents and/or legal guardians are aware of their rights and can access the mechanisms in place to protect those rights, including access to legal aid;

(b) To prohibit the use of placement in a dark cell or closed or solitary confinement or any other punishment that may compromise the physical or mental health of a child;

(c) To adopt and implement strict policies guiding the use of force and physical restraints on children during their detention;

(d) To adopt policies prohibiting the carrying and use of weapons by personnel in any facility where children are detained;

(e) To prohibit and effectively prevent the use of corporal punishment as a disciplinary measure, to adopt clear and transparent disciplinary policies and

procedures that encourage the use of positive and educational forms of discipline and to establish in law the duty of managers and personnel of detention facilities to record, review and monitor every instance in which disciplinary measures or punishment are used;

(f) To prohibit any form of violence or threats of violence against children by staff of places of detention in order to force children to engage in activities against their will;

(g) To ensure the effective supervision and protection of children, as necessary, from violence by other children and adults, including through measures to prevent bullying by adults and by other children, and from self-harm;

(h) To prevent violence associated with youth gang activities and racist harassment and violence within places of detention;

(i) To encourage and facilitate, wherever possible and in the best interests of the child, frequent family visits and regular contact and communication between children and their family members, as well as with the outside world, and to ensure that disciplinary sanctions for detained children do not include a prohibition of contact with family members;

(j) To prevent violence against and abuse of children suffering from mental illness or drug addiction, including through treatment and other measures to protect them from self-harm.

40. Recognizing the importance of preventing violence against children through appropriate staff recruitment, selection, training and supervision, Member States are urged, as appropriate:

(a) To ensure that all personnel working with children in places of detention are qualified, selected on the basis of professional capacity, integrity, ability and personal suitability, sufficiently remunerated, adequately trained and effectively supervised;

(b) To ensure that any person who has been convicted of a criminal offence against a child is not eligible to work in an agency or organization providing services to children, and to require agencies and organizations providing services to children to prevent persons who have been convicted of a criminal offence against a child from coming into contact with children;

(c) To train all personnel and make them aware of their responsibility to identify early signs of risks of violence and mitigate that risk, to report incidents of violence against children and to actively protect children against violence in an ethical and child- and gender-sensitive manner.

41. Taking into account the distinctive needs of girls and their vulnerability to gender-based violence, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To eliminate the risk of all forms of harassment, violence and discrimination against girls;

(b) To ensure that the special needs and vulnerabilities of girls are taken into account in decision-making processes;

(c) To ensure that the dignity of girls is respected and protected during personal searches, which shall only be carried out by female staff who have been properly trained in appropriate searching methods and in accordance with established procedures;

(d) To implement alternative screening methods, such as scans, to replace strip searches and invasive body searches in order to avoid the harmful psychological and possible physical impact of such searches;

(e) To adopt and implement clear policies and regulations on the conduct of staff aimed at providing maximum protection for girls deprived of their liberty from any physical or verbal violence, abuse or sexual harassment.

42. Recognizing the crucial importance of independent monitoring and inspection mechanisms, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To ensure effective monitoring of, regular access to and inspection of places of detention and community-based institutions by national independent bodies and national human rights institutions, ombudspersons or members of the judiciary, who are empowered to conduct unannounced visits, conduct interviews with children and staff in private and investigate allegations of violence;

(b) To ensure that they cooperate with relevant international and regional monitoring mechanisms that are legally entitled to visit institutions in which children are deprived of their liberty;

(c) To promote international cooperation with regard to best practices and lessons learned related to national monitoring and inspection mechanisms;

(d) To ensure that all deaths of children in detention facilities are reported and promptly and independently investigated, and to promptly endeavour, as appropriate, to investigate injuries suffered by children and ensure that their parents, legal guardian or closest relatives are informed.

XVI. Detecting, assisting and protecting children who are victims of violence as a result of their involvement with the justice system as alleged or sentenced offenders

43. Given the crucial importance of providing children who report abuse and incidents of violence within the justice system with immediate protection, support and counselling, Member States are urged, as appropriate and while taking into consideration relevant international human rights instruments:

(a) To establish complaint mechanisms for child victims of violence within the justice system that are safe, confidential, effective and easily accessible;

(b) To ensure that children receive clear information, in particular when they first arrive in a place of detention, both verbally and in writing, about their rights, relevant procedures, how they can exercise their right to be heard and listened to, effective remedies to address incidents of violence and available services for assistance and support, as well as information on seeking compensation for damages, that such information is age- and culturally appropriate and child- and gender-sensitive, and that parents and legal guardians are equally provided with relevant information on these measures;

(c) To protect children who report abuse, specifically taking into account the risks of retaliation, including by removing those allegedly implicated in violence against or ill-treatment of children from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, and those conducting the investigation;

(d) To take effective measures to protect children who provide information or act as witnesses in proceedings related to a case involving violence within the justice system;

(e) To provide access to fair, prompt and equitable redress mechanisms and accessible procedures for seeking and obtaining compensation for child victims of violence in the justice system, and to endeavour to adequately fund victim compensation schemes.

44. Recognizing the importance of detecting and responding to all incidents of violence against children as a result of their involvement with the justice system as alleged or sentenced offenders, Member States are urged, as appropriate:

(a) To ensure that laws establishing obligations to report violence against children in the justice system respect children's rights and are incorporated into the relevant regulations of agencies and rules of conduct, and that all those working with children have clear guidance on reporting requirements and consequences;

(b) To implement protection measures for staff who report in good faith alleged incidents of violence against children, and to adopt rules and procedures that protect the identity of professionals and private individuals who bring cases of violence against children to the attention of the competent authorities;

(c) To ensure the prompt, independent and effective investigation of all alleged incidents of violence against children involved with the justice system, as alleged or sentenced offenders, by competent and independent authorities, including medical personnel, with full respect for the principle of confidentiality.

XVII. Strengthening accountability and oversight mechanisms

45. Member States are urged to take all appropriate measures to combat impunity and the tolerance of violence against children within the justice system, including through awareness-raising programmes, education and effective prosecution of violent offences committed against children within the justice system.

46. Member States are encouraged to ensure that there is a clear and sustained commitment and obligation at all levels of justice institutions to prevent and address violence against children, including in a child- and gender-sensitive manner.

47. Member States are urged, as appropriate and while taking into consideration relevant international legal instruments:

(a) To promote accountability for incidents of violence against children in the justice system, including by adopting and implementing effective measures to enhance integrity and prevent corruption;

(b) To establish internal and external accountability mechanisms in policing and in places of detention;

(c) To establish all key elements of an effective accountability system, including independent national oversight, monitoring and complaint mechanisms for agencies dealing with children;

(d) To ensure the independent, prompt and effective investigation and prosecution of offences involving violence against children within the justice system;

(e) To ensure that all public officials who are found to be responsible for violence against children are held accountable through workplace disciplinary measures, termination of employment and criminal justice investigations, where appropriate;

(f) To promote transparency and public accountability regarding all measures taken to hold accountable perpetrators of violence and those who are responsible for preventing such violence;

(g) To undertake criminal or other public investigations into all serious reports of violence against children at any stage of the justice process, and to ensure that such investigations are carried out by persons of integrity, are adequately funded and are completed without undue delay.

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Crime prevention and criminal justice

Rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015

Note by the Secretariat

By its resolution 2014/19 of 16 July 2014, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

Rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law,

Reaffirming also its commitment to the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels,[1]

Strongly determined to reinvigorate political will and to raise the level of the international community's commitment to moving the sustainable development agenda forward, through the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Reaffirming the necessity of respecting and protecting human rights and fundamental freedoms in the prevention of crime and the administration of and access to justice, including criminal justice,

Taking note of the report of the Secretary-General entitled "A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015",[2] and noting the

[1] General Assembly resolution 67/1.
[2] A/68/202 and Corr.1.

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recommendations of the Secretary-General's High-level Panel of Eminent Persons on the Post-2015 Development Agenda,[3]

Noting the activity of the Open Working Group on Sustainable Development Goals,

Noting also the thematic and national consultations on the post-2015 United Nations development agenda organized by the United Nations Development Group in many countries,

Reiterating that the rule of law and development are interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law,

Reiterating also that transnational crime must be addressed with full respect for the principles of the sovereign equality and territorial integrity of States and of non-intervention in the domestic affairs of other States, and in accordance with the rule of law, as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socioeconomic conditions, and in that regard stressing again the importance of encouraging Member States to develop, as appropriate, comprehensive crime prevention policies based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, while emphasizing that crime prevention should be an integral element of strategies to foster social and economic development in all States,

Stressing the importance of a well-functioning, efficient, fair, effective and humane criminal justice system as the basis for a successful strategy against transnational organized crime, corruption, terrorism, drug trafficking and other forms of trafficking,

Recalling its resolution 67/186 of 20 December 2012, entitled "Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking", and its resolution 68/188 of 18 December 2013, entitled "The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015",

Acknowledging the centrality of crime prevention and the criminal justice system to the rule of law, and also acknowledging that long-term sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system have a positive influence on each other, as stated in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, of 2010,[4]

Reaffirming the importance of promoting the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols

[3] See A/67/890, annex.

[4] General Assembly resolution 65/230, annex.

thereto,[5] the United Nations Convention against Corruption[6] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[7]

Reaffirming also the importance of relevant international anti-terrorism instruments, as appropriate, and drawing on the existing United Nations standards and norms in crime prevention and criminal justice,

Recalling its resolution 63/23 of 17 November 2008, entitled "Promoting development through the reduction and prevention of armed violence",

Concerned about the serious threat that violence related to transnational organized crime poses to development and the rule of law, security and well-being of communities, hindering the achievement of the Millennium Development Goals by reducing national income and productivity, diverting investment and rolling back hard-won development gains, and recognizing that comprehensive crime prevention strategies can contribute to addressing those challenges effectively,

Recognizing the importance of ensuring that women and girls, on the basis of gender equality, fully enjoy the benefits of the rule of law, and committed to using law to uphold equal rights and ensure their full and equal participation,

Welcoming the conference entitled "Bangkok Dialogue on the Rule of Law", hosted by the Government of Thailand in Bangkok on 15 November 2013, which discussed the rule of law, crime prevention and criminal justice as a substantive contribution to the discussion on the post-2015 development agenda,

Noting the publication of the study paper entitled "Accounting for security and justice in the post-2015 development agenda" by the United Nations Office on Drugs and Crime in 2013,

Noting also the publication of the "Global Study on Homicide 2013: Trends, Contexts, Data" by the United Nations Office on Drugs and Crime,

Taking into consideration that the main theme of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Doha in 2015, will be "Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation",

Convinced that respect for and promotion of the rule of law, both nationally and internationally, are essential elements in addressing and preventing transnational organized crime and corruption, and noting that the rule of law requires strong and efficient justice sector coordination, as well as effective inter-agency cooperation and coordination with other relevant United Nations offices and activities,

1. *Recognizes* the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommends that such linkages and interrelationships be properly addressed and further elaborated;

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[5] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[6] Ibid., vol. 2349, No. 42146.

[7] Ibid., vol. 1582, No. 27627.

2. *Underscores* that the discussions on the post-2015 development agenda should take into account respect for and promotion of the rule of law and that crime prevention and criminal justice have an important role in that regard, giving due consideration to the work of the Commission on Crime Prevention and Criminal Justice in order to channel, as appropriate, its contribution to the discussions on the post-2015 development agenda, in close consultation with all relevant stakeholders;

3. *Encourages* Member States, in their deliberations on the post-2015 development agenda, to give due consideration to the rule of law, crime prevention and criminal justice, while promoting universal respect for human rights and strengthening relevant national institutions;

4. *Requests* the United Nations Office on Drugs and Crime, as a member of the United Nations System Task Team on the Post-2015 United Nations Development Agenda, to continue to contribute analytical inputs and expertise to the work of the Task Team and to report to the Commission at its twenty-fourth session on the results of this work;

5. *Stresses* the importance of a comprehensive approach to transitional justice, incorporating the wide range of judicial and non-judicial measures to ensure accountability and promote reconciliation while protecting the rights of victims of crime and of abuse of power, drawing on the work of the United Nations Office on Drugs and Crime, in accordance with its mandates, to support criminal justice reforms and strengthen the rule of law at the national and international levels;

6. *Also stresses* the need for government institutions, the judicial system and the legislative system to be gender-sensitive and for the continued promotion of the full participation of women in such institutions;

7. *Further stresses* the importance of promoting the design and implementation of national and regional strategies and policies, as appropriate, on the rule of law, crime prevention and criminal justice as an effective and coordinated response to transnational organized crime, particularly in connection with new and emerging forms of transnational organized crime;

8. *Requests* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in developing comprehensive crime prevention strategies, to address violence related to transnational organized crime, including urban crime, and to continue to support the exchange of expertise and good practices, with the support of civil society, as appropriate;

9. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to assist Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels, where necessary, including gender-specific data, in order to contribute, where appropriate, to the post-2015 development agenda;

10. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to continue to include in their work programmes the issues of the rule of law, crime prevention and criminal justice, as well as to consider exploring the challenges posed by violence related to transnational organized crime, and encourages them to develop appropriate training material;

11. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

12. *Requests* the Secretary-General to submit, through the Commission, to the General Assembly at its sixty-ninth session a report on the implementation of the present resolution.

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Crime prevention and criminal justice

International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences

By its resolution 2014/20 of 16 July 2014, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences

The General Assembly,

Recalling its resolutions 66/180 of 19 December 2011 and 68/186 of 18 December 2013, entitled "Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking",

Recalling also the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly in its resolution 55/25 of 15 November 2000,[1] as well as the United Nations Convention against Corruption, adopted by the Assembly in its resolution 58/4 of 31 October 2003,[2]

Recalling further the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970,[3] the Convention on Stolen or Illegally Exported Cultural Objects, adopted by the International Institute for the Unification of Private Law on 24 June 1995,[4] and the Convention for the Protection of Cultural

[1] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[2] Ibid., vol. 2349, No. 42146.
[3] Ibid., vol. 823, No. 11806.
[4] Ibid., vol. 2421, No. 43718.

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Property in the Event of Armed Conflict, adopted at The Hague on 14 May 1954,[5] and the two Protocols thereto, adopted on 14 May 1954[5] and 26 March 1999,[6] and other relevant conventions, and reaffirming the necessity for those States which have not done so to consider ratifying or acceding to and, as States parties, implementing those international instruments,

Alarmed at the growing involvement of organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and observing that illicitly trafficked cultural property is increasingly being sold through all kinds of markets, inter alia in auctions, in particular over the Internet, and that such property is being unlawfully excavated and illicitly exported or imported with the facilitation of modern and sophisticated technologies,

Recognizing the indispensable role of crime prevention and criminal justice responses in combating all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner,

Recalling the report of the Secretary-General on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking,[7]

Welcoming the initiatives promoted within the United Nations crime prevention and criminal justice programme network and the cooperative network established among the United Nations Office on Drugs and Crime, the United Nations Educational, Scientific and Cultural Organization, the International Criminal Police Organization (INTERPOL), the International Institute for the Unification of Private Law, the World Customs Organization and the International Council of Museums in the area of protection against trafficking in cultural property, and encouraging those entities to continue to play an active role in that area,

Recalling that the theme of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Doha from 12 to 19 April 2015, will be "Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation", and considering that one of the workshops to be held within the framework of the Congress will focus on strengthening crime prevention and criminal justice responses to evolving forms of crime such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation,

Reiterating the significance of cultural property as part of the common heritage of humankind and as unique and important testimony of the culture and identity of peoples and the necessity of protecting cultural property, and reaffirming in that regard the need to strengthen international cooperation in preventing, prosecuting and punishing all aspects of trafficking in cultural property,

Recognizing that, in its resolution 66/180, it requested the United Nations Office on Drugs and Crime, within its mandate, in consultation with Member States and in close cooperation, as appropriate, with the United Nations Educational,

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[5] Ibid., vol. 249, No. 3511.

[6] Ibid., vol. 2253, No. 3511.

[7] E/CN.15/2013/14.

Scientific and Cultural Organization, INTERPOL and other competent international organizations, to further explore the development of specific guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property,

Recognizing also that, in its resolution 68/186, it welcomed the progress made in exploring the development of non-binding guidelines on crime prevention and criminal justice responses with respect to trafficking in cultural property, stressed the need for their expeditious finalization, bearing in mind the importance of the matter for all Member States, and requested the United Nations Office on Drugs and Crime to reconvene the expert group on protection against trafficking in cultural property for Member States to review and revise the draft guidelines, with a view to finalizing and submitting the draft guidelines to the Commission on Crime Prevention and Criminal Justice at its twenty-third session,

Recognizing further that the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, contained in the annex to the present resolution, can be considered by Member States in the development and strengthening of their policies, strategies, legislation and cooperation mechanisms to prevent and combat trafficking in cultural property and related offences in all situations,

1. *Welcomes* the work of the meeting of the expert group on protection against trafficking in cultural property held in Vienna from 15 to 17 January 2014 to finalize the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences;

2. *Adopts* the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, contained in the annex to the present resolution, and underlines that the Guidelines represent a useful framework to guide Member States in the development and strengthening of their criminal justice policies, strategies, legislation and cooperation mechanisms in the area of protection against trafficking in cultural property and other related offences;

3. *Strongly encourages* Member States to apply the Guidelines to the maximum extent possible, where appropriate, in view of strengthening international cooperation in this field;

4. *Encourages* Member States to undertake efforts to overcome practical difficulties in the implementation of the Guidelines in their constant endeavour to combat trafficking in cultural property, in all situations and on the basis of common and shared responsibility;

5. *Strongly* encourages Member States to evaluate and review their legislation and legal principles, procedures, policies, programmes and practices related to crime prevention and criminal justice matters, in a manner consistent with their legal systems and drawing upon the Guidelines, in order to ensure their adequacy for preventing and combating trafficking in cultural property and related offences;

6. *Invites* Member States and other relevant stakeholders attending the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice to

discuss good practices and challenges in promoting international cooperation to combat trafficking in cultural property under workshop 3 (Strengthening crime prevention and criminal justice responses to evolving forms of crime such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation);

7. *Requests* the United Nations Office on Drugs and Crime to continue to provide advisory services and technical assistance to Member States, upon request, in the area of crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences, in cooperation with relevant international organizations and making use of the work of the institutes of the United Nations crime prevention and criminal justice programme network, as appropriate;

8. *Also requests* the United Nations Office on Drugs and Crime to make the Guidelines widely available, including through the development of relevant tools, such as handbooks and training manuals;

9. *Further requests* the United Nations Office on Drugs and Crime, where appropriate, in consultation with Member States, to develop a practical assistance tool to assist in the implementation of the Guidelines, taking into consideration the technical background document developed for the elaboration of the Guidelines and the comments made by Member States;

10. *Invites* Member States to use all relevant tools developed by the United Nations Office on Drugs and Crime and the United Nations Educational, Scientific and Cultural Organization, including the Sharing Electronic Resources and Laws against Organized Crime knowledge management portal and the United Nations Educational, Scientific and Cultural Organization Database of National Cultural Heritage Laws, and also invites Member States to provide to the Secretariat legislation and case law related to trafficking in cultural property, for inclusion in the portal;

11. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

12. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-fifth session on the implementation of the present resolution.

Annex

International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences

Introduction

1. The International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences have been developed in recognition of the criminal character of such offences and their devastating consequences for the cultural heritage of humankind. Pursuant to General Assembly resolutions 66/180 and 68/186 and Economic and Social Council resolution 2010/19, draft guidelines were developed by the United Nations Office on Drugs and Crime in consultation with Member States and in close

cooperation, as appropriate, with the United Nations Educational, Scientific and Cultural Organization, the International Criminal Police Organization (INTERPOL) and other competent international organizations.

2. The first draft of the guidelines was reviewed at an informal expert group meeting, held from 21 to 23 November 2011, composed of 20 experts from around the world with expertise in various fields related to the subject matter of the guidelines, including representatives of INTERPOL, the United Nations Educational, Scientific and Cultural Organization and the International Institute for the Unification of Private Law. Based on the valuable comments and advice on improving the draft, a second draft was presented to and discussed by the open-ended intergovernmental expert group on protection against trafficking in cultural property at its second meeting, held from 27 to 29 June 2012. Taking into account a compendium, prepared by the Secretariat, of comments made by Member States on the draft guidelines, the expert group reviewed and revised the guidelines at its third meeting, held from 15 to 17 January 2014, with a view to their finalization.

3. The Guidelines are based on crime prevention and criminal justice aspects of protection against trafficking in cultural property, taking into consideration a review of current practices and initiatives in several countries in addressing the problem of trafficking in cultural property, as well as principles and norms arising from the analysis of the following international legal instruments: the United Nations Convention against Transnational Organized Crime;[8] the United Nations Convention against Corruption;[9] the Convention for the Protection of Cultural Property in the Event of Armed Conflict[10] and its First[10] and Second Protocols;[11] the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts;[12] the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;[13] the Convention on Stolen or Illegally Exported Cultural Objects adopted by the International Institute for the Unification of Private Law;[14] and the Convention on the Protection of the Underwater Cultural Heritage.[15]

4. The present set of non-binding guidelines is available to Member States for their consideration in the development and strengthening of crime prevention and criminal justice policies, strategies, legislation and cooperation mechanisms to prevent and combat trafficking in cultural property and related offences in all situations. Their development follows the expression, by the General Assembly and the Economic and Social Council in their resolutions, of alarm at the growing involvement of organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and of the need to promote international cooperation to combat crime in a concerted manner.

5. The Guidelines have the purpose of serving as a reference for national policymakers and as a tool for capacity-building in the area of crime prevention and

[8] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[9] Ibid., vol. 2349, No. 42146.
[10] Ibid., vol. 249, No. 3511.
[11] Ibid., vol. 2253, No. 3511.
[12] Ibid., vol. 1125, No. 17512.
[13] Ibid., vol. 823, No. 11806
[14] Ibid., vol. 2421, No. 43718.
[15] Ibid., vol. 2562, No. 45694.

criminal justice responses to trafficking in cultural property and related offences, in coordination with the United Nations Educational, Scientific and Cultural Organization and other competent international organizations, as appropriate. On the basis of the guidelines finalized by the intergovernmental expert group and submitted to the Commission on Crime Prevention and Criminal Justice, and taking into consideration the technical background document containing the version of the guidelines dated April 2012, and the comments made by Member States, the Commission may ask the Secretariat to develop a practical assistance tool, as appropriate, to aid in the implementation of the Guidelines.

6. The Guidelines contain four chapters:

(a) Chapter I contains guidelines on crime prevention strategies (including information and data collection, the role of cultural institutions and the private sector, the monitoring of the cultural property market, imports and exports, and archaeological sites, as well as education and public awareness);

(b) Chapter II contains guidelines on criminal justice policies (including adherence to and implementation of relevant international treaties, the criminalization of specific harmful conduct or the establishment of administrative offences, corporate liability, seizure and confiscation and investigative measures);

(c) Chapter III contains guidelines on international cooperation (including matters related to jurisdictional basis, extradition, seizure and confiscation, and cooperation among law enforcement and investigating authorities, as well as the return, restitution or repatriation of cultural property);

(d) Chapter IV contains a guideline on the scope of application of the Guidelines.

I. Prevention strategies

A. Information and data collection

Guideline 1. States should consider establishing and developing inventories or databases, as appropriate, of cultural property for the purpose of protection against its trafficking. The absence of registration of cultural property in such inventories shall by no means exclude it from protection against trafficking and related offences.

Guideline 2. States should consider, where possible under their national legislation, the relevant cultural property as registered in the official inventory of a State that has enacted laws on national or State ownership, provided that the owner State has issued a public formal statement to that effect.

Guideline 3. States should consider:

(a) Introducing or improving statistics on import and export of cultural property;

(b) Introducing or improving statistics, where practical, on administrative and criminal offences against cultural property;

(c) Establishing or improving national databases, as appropriate, on trafficking in cultural property and related offences and on trafficked, illicitly

exported or imported, stolen, looted, illicitly excavated or illicitly traded or missing cultural property;

(d) Introducing mechanisms to enable the reporting of suspicious dealings or sales on the Internet;

(e) Contributing to international data collection on trafficking in cultural property and related offences through the United Nations Survey on Crime Trends and Operations of Criminal Justice Systems, conducted by the United Nations Office on Drugs and Crime, and the INTERPOL database on stolen works of art and through other relevant organizations;

(f) Contributing to the United Nations Educational, Scientific and Cultural Organization database of national laws and regulations pertaining to cultural property.

Guideline 4. States should consider, as appropriate, establishing a central national authority or empowering an existing authority and/or enacting other mechanisms for coordinating the activities related to the protection of cultural property against trafficking and related offences.

B. The role of cultural institutions and the private sector

Guideline 5. States should consider encouraging cultural institutions and the private sector to adopt codes of conduct and to disseminate best practices on policies on the acquisition of cultural property.

Guideline 6. States should encourage cultural institutions and the private sector to report suspected trafficking in cultural property cases to law enforcement authorities.

Guideline 7. States should consider promoting and supporting training on cultural property regulations for cultural institutions and the private sector, in cooperation with relevant international organizations, including rules on the acquisition of cultural property.

Guideline 8. States should encourage, as appropriate, Internet providers and web-based auctioneers and vendors to cooperate in preventing trafficking in cultural property, including through the adoption of specific codes of conduct.

C. Monitoring

Guideline 9. States should consider, in accordance with the relevant international instruments, introducing and implementing appropriate import and export control procedures, such as certificates for the export and import of cultural property.

Guideline 10. States should consider creating and implementing monitoring measures for the market of cultural property, including for the Internet.

Guideline 11. States should, where possible, create and implement programmes for research, mapping and surveillance of archaeological sites for the purpose of protecting them against pillage, clandestine excavation and trafficking.

D. Education and public awareness

Guideline 12. States should consider supporting and promoting public awareness campaigns, including through the media, to foster among the general public a culture of concern about trafficking in cultural property, for the purpose of protecting that cultural property against pillage and trafficking.

II. Criminal justice policies

A. International legal texts

Guideline 13. States should consider adopting legislation criminalizing trafficking in cultural property and related offences in accordance with applicable existing international instruments, in particular the Organized Crime Convention, relating to trafficking in cultural property and related offences.

Guideline 14. In bilateral cooperation, States may consider making use of the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property.[16]

B. Criminal and administrative offences

Guideline 15. States should consider defining the concept of "cultural property", including movable and immovable cultural property, when necessary, for the purposes of criminal law.

Guideline 16. States should consider criminalizing, as serious offences, acts such as:

(a) Trafficking in cultural property;

(b) Illicit export and illicit import of cultural property;

(c) Theft of cultural property (or consider elevating the offence of ordinary theft to a serious offence when it involves cultural property);

(d) Looting of archaeological and cultural sites and/or illicit excavation;

(e) Conspiracy or participation in an organized criminal group for trafficking in cultural property and related offences;

(f) Laundering, as referred to in article 6 of the Organized Crime Convention, of trafficked cultural property.

Guideline 17. States should consider introducing in their criminal legislation other offences, such as damaging or vandalizing cultural property or acquiring, with conscious avoidance of the legal status, trafficked cultural property, when such offences are related to trafficking in cultural property.

Guideline 18. States should consider introducing obligations, as appropriate, to report suspected cases of trafficking of and related offences against cultural property and to report the discovery of archaeological sites, archaeological finds or other objects of relevant cultural interest, and, for those States that have done so, to criminalize the failure to meet those obligations.

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[16] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1, annex.

Guideline 19. States should consider making it possible, in a way not contradictory to their fundamental legal principles, to infer a perpetrator's knowledge that an object has been reported as trafficked, illicitly exported or imported, stolen, looted, illicitly excavated or illicitly traded, on the basis of objective factual circumstances, including when the cultural property is registered as such in a publicly accessible database.

C. Criminal and administrative sanctions

Guideline 20. States should consider providing proportionate, effective and dissuasive sanctions for the above-mentioned criminal offences.

Guideline 21. States may consider adopting custodial sanctions for some selected criminal offences so as to meet the standard, required under article 2 (*b*) of the Organized Crime Convention, for "serious crime".

Guideline 22. States should consider the adoption of bans and disqualifications, and the revocation of licences, as complementary criminal or administrative sanctions whenever possible.

D. Corporate liability

Guideline 23. States should consider introducing or extending liability (criminal, administrative or civil in nature) of corporations or legal persons for the above-mentioned offences.

Guideline 24. States should consider introducing proportionate, effective and dissuasive sanctions for corporate offences of trafficking in cultural property and related offences, including fines, bans or disqualifications, revocation of licences and revocation of benefits, including tax exemptions or government subsidies, where possible.

E. Seizure and confiscation

Guideline 25. States should consider introducing criminal investigation and the search, seizure and confiscation of trafficked cultural property, as well as the proceeds of crimes related to such trafficking, and ensure its return, restitution or repatriation.

Guideline 26. States should consider, in a way not contradictory to their fundamental legal principles, the possibility of requiring that the alleged offender, the owner or the holder (if different) demonstrate the lawful origin of cultural property liable to seizure or confiscation for trafficking or related offences.

Guideline 27. States should consider introducing confiscation of the proceeds of the offence or of property of a value equivalent to such proceeds.

Guideline 28. States may consider using confiscated economic assets for financing expenses for recovery and other prevention measures.

F. Investigations

Guideline 29. States should consider creating specialized law enforcement bodies or units, as well as providing specialized training for customs officials, law enforcement personnel and public prosecutors, with regard to trafficking in cultural property and related offences.

Guideline 30. States should consider enhancing coordination, at both the national and international levels, among law enforcement bodies in order to increase the probability of discovering and successfully investigating trafficking in cultural property and related offences.

Guideline 31. States may consider, in the investigation of the above-mentioned offences, especially if related to organized crime, allowing for the appropriate use by their competent authorities of controlled delivery and other special investigative techniques, such as electronic or other forms of surveillance and undercover operations, within their territory, and allowing for the admissibility in court of evidence derived therefrom.

III. Cooperation

A. Jurisdiction

Guideline 32. States should consider establishing their jurisdiction over the above-mentioned criminal offences when such offences are committed within their territory or when committed outside their territory by one of their nationals, in a manner consistent with the principles of sovereign equality, the territorial integrity of States and non-intervention in the domestic affairs of other States, as enshrined in the Charter of the United Nations and the Organized Crime Convention.

B. Judicial cooperation in criminal matters

Guideline 33. States that have not yet done so should consider becoming parties to existing international law instruments, in particular the Organized Crime Convention, and use them as a basis for international cooperation in criminal matters in respect of trafficking in cultural property and related offences.

Guideline 34. States should consider providing each other with the widest possible mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the above-mentioned offences, also in order to enhance the effectiveness and speed of the procedures.

Guideline 35. States should contribute to and regularly update the United Nations Educational, Scientific and Cultural Organization Database of National Cultural Heritage Laws and any other relevant database.

C. Extradition

Guideline 36. States should consider making the crimes against cultural property enumerated in guideline 16 extraditable offences. In the context of extradition procedures, States should also consider adopting and applying, where possible, provisional measures to preserve the cultural property related to the alleged offence for the purpose of restitution.

Guideline 37. States should consider enhancing the effectiveness and speed of extradition for trafficking in cultural property and related offences, where such offences are considered extraditable.

Guideline 38. States should consider, in the case of refusal of extradition only on the basis of nationality, submitting the case, when requested by the State that had sought extradition, to the competent authority in order to consider prosecution.

D. International cooperation for purposes of seizure and confiscation

Guideline 39. States should consider cooperating in identifying, tracing, seizing and confiscating trafficked, illicitly exported or imported, stolen, looted, illicitly excavated, illicitly traded or missing cultural property.

Guideline 40. States may consider putting in place mechanisms to enable the contribution of confiscated financial assets to international or intergovernmental bodies concerned with the fight against transnational organized crime, including trafficking in cultural property and related offences.

E. International cooperation among law enforcement and investigating authorities

Guideline 41. States should consider enhancing the exchange of information on trafficking in cultural property and related offences by sharing or interconnecting inventories of cultural property and databases on trafficked, illicitly exported or imported, stolen, looted, illicitly excavated, illicitly traded or missing cultural property, and/or contributing to international ones.

Guideline 42. States should consider, where appropriate, in the framework of international judicial cooperation, enhancing the exchange of information on previous convictions and ongoing investigations relating to trafficking in cultural property and related offences.

Guideline 43. States should consider concluding bilateral or multilateral agreements or arrangements in order to establish joint investigative teams for trafficking in cultural property and related offences.

Guideline 44. States should consider assisting each other in planning and implementing specialized training programmes for law enforcement personnel.

Guideline 45. States should consider enhancing or establishing privileged channels of communication between their law enforcement agencies.

F. Return, restitution or repatriation

Guideline 46. States should consider, in order to enhance international cooperation in criminal matters, undertaking appropriate measures to recover trafficked, illicitly exported or imported, stolen, looted, illicitly excavated or illicitly traded cultural property for the purpose of their return, restitution or repatriation.

Guideline 47. States should consider pondering, procedurally, as appropriate, the owner State's provisions on national or State ownership in order to facilitate the return, restitution or repatriation of public cultural property.

IV. Scope of application

Guideline 48. States should consider applying the Guidelines in any situations, including exceptional circumstances, that foster trafficking in cultural property and related offences, in the framework of the above-mentioned conventions and other relevant international instruments.

United Nations A/C.3/69/L.8

General Assembly

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25 September 2014

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Sixty-ninth session
Third Committee
Agenda item 106
International drug control

Special session of the General Assembly on the world drug problem to be held in 2016

Note by the Secretariat

By its resolution 2014/24 of 16 July 2014, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

Special session of the General Assembly on the world drug problem to be held in 2016

The General Assembly

1. *Welcomes* Commission on Narcotic Drugs resolution 57/5 of 21 March 2014,[1] and notes with satisfaction the support expressed at the high-level review by the Commission of the progress made by Member States in the implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem[2] for the decision taken by the General Assembly in its resolution 67/193 of 20 December 2012 to convene a special session on the world drug problem early in 2016, in implementation of the recommendation contained in paragraph 40 of the Political Declaration;

2. *Urges* States that have not done so to consider ratifying or acceding to, and States parties to implement, as a matter of priority, all the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[3] the Convention on Psychotropic Substances of 1971[4] and the United Nations

[1] See *Official Records of the Economic and Social Council, 2014, Supplement No. 8* (E/2014/28), chap. I, sect. C.
[2] Ibid., *2009, Supplement No. 8* (E/2009/28), chap. I, sect. C.
[3] United Nations, *Treaty Series*, vol. 976, No. 14152.
[4] Ibid., vol. 1019, No. 14956.

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Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[5]

3. *Stresses* the importance of the special session on the world drug problem in 2016, as noted in Commission resolution 57/5, as a milestone on the way to 2019, which has been set as the target date in the Political Declaration for the review of implementation;

4. *Reaffirms* that, at its special session on the world drug problem in 2016, it will address substantive issues on the basis of the principle of common and shared responsibility and in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights,[6] and in particular with respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights, fundamental freedoms, the inherent dignity of all individuals and the principles of equal rights and mutual respect among States;

5. *Decides* that the special session shall be convened following the fifty-ninth session of the Commission, scheduled to be held in March 2016;

6. *Also decides* that the special session on the world drug problem in 2016 shall have an inclusive preparatory process that includes extensive substantive consultations, allowing organs, entities and specialized agencies of the United Nations system, relevant international and regional organizations, civil society and other relevant stakeholders to fully contribute to the process, in accordance with the relevant rules of procedure and established practice;

7. *Further decides* that the Commission, as the central policymaking body within the United Nations system dealing with drug-related matters, shall lead this process by addressing all organizational and substantive matters in an open-ended manner, and in this regard invites the President of the General Assembly to support, guide and stay involved in the process;

8. *Notes with appreciation* the efforts made by the Commission to take all measures necessary to use its existing meetings and reporting entitlements in the most efficient manner to ensure adequate preparation for the special session in 2016, and requests the Commission to continue to take all measures necessary to prepare for the special session, as early as possible;

9. *Encourages* the participation of all Member States and the provision of assistance to the least developed countries in the preparatory work undertaken by the Commission in order to work actively towards the attainment of the objectives and goals of the special session, and invites Member States and other donors to provide extrabudgetary resources for this purpose;

10. *Recognizes* that the special session on the world drug problem to be held in 2016 constitutes an opportunity for a high-level and wide-ranging discussion among Member States leading up to the target date of 2019, within the framework of the three international drug control conventions and other relevant international instruments, in order to further implement the commitments and targets set out in the Political Declaration and Plan of Action;

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[5] Ibid., vol. 1582, No. 27627.

[6] General Assembly resolution 217 A (III).

11. *Also recognizes* the important role played by civil society, in particular non-governmental organizations, in the preparations for and during the fifty-second and the fifty-seventh sessions of the Commission, including their high-level segments, and recognizes further the need for their active involvement in the preparations for the special session, as well as the need for their effective, substantive and active involvement during the special session, in accordance with the rules of procedure and practice developed for other special sessions of the General Assembly, and requests the Chair of the Commission to consider undertaking consultations and other appropriate actions in this regard with relevant stakeholders;

12. *Invites* organs, entities and specialized agencies of the United Nations system, multilateral development banks, other relevant international organizations, including the International Narcotics Control Board, and regional organizations to contribute fully to the preparations for the special session in 2016, in particular by submitting to the Commission, through the Executive Director of the United Nations Office on Drugs and Crime, specific recommendations on the issues to be addressed at the special session;

13. *Requests* the Commission to report to the General Assembly at its seventieth session, through the Economic and Social Council, on the progress made in preparation for the special session in 2016;

14. *Reaffirms* its decision taken in resolution 67/193 to conduct the special session and its preparatory process from within existing regular budget resources;

15. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, in accordance with the rules and procedures of the United Nations.

United Nations A/C.3/69/L.9

General Assembly

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8 October 2014

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Sixty-ninth session
Third Committee
Agenda item 26 (d)
Social development: Literacy for life: shaping future agendas

Mongolia: draft resolution

Literacy for life: shaping future agendas

The General Assembly,

Recalling its resolution 56/116 of 19 December 2001, by which it proclaimed the 10-year period beginning on 1 January 2003 the United Nations Literacy Decade, its resolution 57/166 of 18 December 2002, in which it welcomed the International Plan of Action for the United Nations Literacy Decade,[1] and its resolutions 59/149 of 20 December 2004, 61/140 of 19 December 2006, 63/154 of 18 December 2008, 65/183 of 21 December 2010 and 68/132 of 18 December 2013,

Recalling also the United Nations Millennium Declaration,[2] in which Member States resolved to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education, which requires a renewed commitment to promote literacy for all,

Reaffirming the Education for All goals, in particular goal 3, on ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes, and goal 4, on achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults,

Convinced that literacy is crucial to the acquisition by every child, young person and adult of the essential life skills that will enable them to address the challenges that they may face in life and represents an essential condition of lifelong learning, which is an indispensable means for effective participation in the knowledge societies and economies of the twenty-first century,

Reaffirming the right of indigenous peoples to have non-discriminatory access to all levels and forms of education provided by States, and recognizing the importance of effective measures to promote access for indigenous individuals, in

[1] See A/57/218 and Corr.1.
[2] Resolution 55/2.

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particular children, to education in their own language, when possible, as addressed in the United Nations Declaration on the Rights of Indigenous Peoples,[3]

Noting with deep concern that, according to the United Nations Educational, Scientific and Cultural Organization, 781 million adults do not have basic literacy skills and 58 million children of primary and 63 million children of secondary school age remain out of school, that an estimated 205 million children of primary school age are failing to acquire basic literacy skills, that millions more young people leave school without a level of literacy adequate for productive and active participation in their societies, that the issue of literacy may not be sufficiently high on national agendas to generate the kind of political and economic support required to address global literacy challenges and that the world is unlikely to meet those challenges if present trends continue,

Recognizing that literacy is a foundation for lifelong learning and a building block for achieving basic human rights and sustainable development, and that the United Nations Literacy Decade had a catalytic effect as a global framework for sustained and focused efforts for the promotion of literacy and literate environments,

Taking note of the outcome document of the Open Working Group on Sustainable Development Goals, which establishes a goal on inclusive and equitable quality education and lifelong learning opportunities for all with a stand-alone target on literacy,[4]

Affirming that the realization of the right to education, especially for girls, contributes to the promotion of human rights, gender equality and the eradication of poverty,

Recognizing the importance of continuing to implement national programmes and measures to reduce illiteracy worldwide as reflected in the Dakar Framework for Action on Education for All, adopted on 28 April 2000 at the World Education Forum,[5] and in the Millennium Development Goals, and in this regard also recognizing the important contribution of South-South and triangular cooperation through, inter alia, innovative pedagogical methods in literacy,

Deeply concerned about the persistence of the gender gap in education, which is reflected by the fact that, according to the United Nations Educational, Scientific and Cultural Organization, nearly two thirds of the world's non-literate adults are women,

Concerned that, according to United Nations Educational, Scientific and Cultural Organization estimates, one third of the children not attending school are children with disabilities and that the literacy rate among adults with disabilities is as low as 3 per cent in some countries,

1. *Takes note with appreciation* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization entitled "Literacy for life: shaping future agendas";[6]

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[3] Resolution 61/295, annex.

[4] A/68/970.

[5] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[6] A/69/183.

2. *Commends* the efforts made by Member States, their development partners, the international donor community, the private sector, civil society and the specialized agencies and other organizations of the United Nations system, including the lead organization for the United Nations Literacy Decade, the United Nations Educational, Scientific and Cultural Organization, in making progress on the goals of the Decade;

3. *Recognizes* the importance of continuing to implement national programmes and measures for everyone to acquire, use and advance literacy skills worldwide, enhancing further political and financial commitments, in particular for youth and adult literacy and non-formal education, intensifying collective efforts through enhanced education systems and interventions, and building a robust knowledge and technical base through improved literacy monitoring, assessment and research;

4. *Calls upon* all Governments to develop reliable measures of literacy and generate data that are comparable across time and disaggregated by age, sex, disability, socioeconomic status and other relevant factors;

5. *Encourages* Member States, their development partners and the specialized agencies and other organizations of the United Nations system, as appropriate, to sustain and expand the gains achieved during the Decade through better integration of literacy into sector-wide and multisectoral education and development strategies, expanding the provision of quality literacy programmes, enhancing education systems to provide quality basic education through schooling, enriching literate environments to allow people to acquire, use and advance literacy skills, and promoting literacy for women and girls for their empowerment and inclusion in societies;

6. *Requests* the United Nations Educational, Scientific and Cultural Organization to continue its coordinating and catalysing role in the fight against illiteracy in the post-United Nations Literacy Decade agenda through developing Member States' capacities in the areas of policies, programme delivery and literacy assessments, scaling up literacy actions for girls and women, reinforcing innovative models of literacy delivery, including through information and communications technologies, and expanding the knowledge base and monitoring and evaluation, as well as advocating for literacy on the global agenda and ensuring synergies between different actions, including through a multi-stakeholder partnership and networks;

7. *Recognizes* the continued need to give appropriate consideration to the issue of literacy in the discussions on the post-2015 development agenda;

8. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its seventy-first session a report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its seventy-first session, under the item entitled "Social development", a sub-item entitled "Literacy for life: shaping future agendas".

United Nations A/C.3/69/L.9/Rev.1*

General Assembly

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Sixty-ninth session
Third Committee
Agenda item 26 (d)
Social development: literacy for life: shaping future agendas

Armenia, Australia, Austria, Bangladesh, Brazil, Georgia, Indonesia, Japan, Liechtenstein, Mongolia, Panama, Timor-Leste and Turkey: revised draft resolution

Literacy for life: shaping future agendas

The General Assembly,

Recalling its resolution 56/116 of 19 December 2001, by which it proclaimed the 10-year period beginning on 1 January 2003 the United Nations Literacy Decade, its resolution 57/166 of 18 December 2002, in which it welcomed the International Plan of Action for the United Nations Literacy Decade,[1] and its resolutions 59/149 of 20 December 2004, 61/140 of 19 December 2006, 63/154 of 18 December 2008, 65/183 of 21 December 2010 and 68/132 of 18 December 2013,

Recalling also the United Nations Millennium Declaration,[2] in which Member States resolved to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education, which requires a renewed commitment to promote literacy for all,

Reaffirming the Education for All goals, in particular goal 3, on ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes, and goal 4, on achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults,

Convinced that literacy is crucial to the acquisition by every child, young person and adult of the essential life skills that will enable them to address the challenges that they may face in life and represents an essential condition of lifelong learning, which is an indispensable means for effective participation in the knowledge societies and economies of the twenty-first century,

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* Reissued for technical reasons on 23 October 2014.

[1] See A/57/218 and Corr.1.

[2] Resolution 55/2.

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Reaffirming the right of indigenous peoples to have non-discriminatory access to all levels and forms of education provided by States, and recognizing the importance of effective measures to promote access for indigenous individuals, in particular children, to education in their own language, when possible, as addressed in the United Nations Declaration on the Rights of Indigenous Peoples,[3]

Deeply concerned that, according to the United Nations Educational, Scientific and Cultural Organization, 781 million adults do not have basic literacy skills and 58 million children of primary and 63 million children of secondary school age remain out of school, that an estimated 250 million children of primary school age are failing to acquire basic literacy skills, that millions more young people leave school without a level of literacy adequate for productive and active participation in their societies, that the issue of literacy may not be sufficiently high on national agendas to generate the kind of political and economic support required to address global literacy challenges and that the world is unlikely to meet those challenges if present trends continue,

Recognizing that literacy is a foundation for lifelong learning as well as a building block for achieving human rights and fundamental freedoms and a driver of sustainable development, and that the United Nations Literacy Decade (2003-2012) had a catalytic effect as a global framework for sustained and focused efforts for the promotion of literacy and literate environments,

Welcoming the holding of the International Conference on Girls' and Women's Literacy and Education: Foundations for Sustainable Development, held in Dhaka and co-hosted by the Government of Bangladesh and the United Nations Educational, Scientific and Cultural Organization, in support of the Global Education First Initiative and on the occasion of International Literacy Day in September 2014, and taking note with appreciation of the adoption of the Dhaka Declaration,

Taking note of the report of the Open Working Group on Sustainable Development Goals,[4] which shall be the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered in the intergovernmental negotiation process at the sixty-ninth session of the General Assembly, and acknowledging that it includes a goal on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all with a stand-alone target on literacy,

Affirming that the realization of the right to education, especially for girls, contributes to the promotion of human rights, gender equality and the eradication of poverty as well as to development,

Recognizing the importance of continuing to implement national programmes and measures to eliminate illiteracy worldwide as reflected in the Dakar Framework for Action on Education for All, adopted on 28 April 2000 at the World Education Forum,[5] and in the Millennium Development Goals, and in this regard also recognizing the important contribution of South-South and triangular cooperation through, inter alia, innovative pedagogical methods in literacy,

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[3] Resolution 61/295, annex.

[4] A/68/970.

[5] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

Deeply concerned about the persistence of the gender gap in education, which is reflected by the fact that, according to the United Nations Educational, Scientific and Cultural Organization, nearly two thirds of the world's non-literate adults are women,

Concerned that, according to United Nations Educational, Scientific and Cultural Organization estimates, one third of the children not attending school are children with disabilities and that the literacy rate among adults with disabilities is as low as 3 per cent in some countries,

Deeply concerned about the impact of disrupted educational services in humanitarian emergencies on efforts to promote literacy skills, especially for all children and young people,

1. *Takes note with appreciation* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization entitled "Literacy for life: shaping future agendas";[6]

2. *Commends* the efforts made by Member States, their development partners, the international donor community, the private sector, civil society and the specialized agencies and other organizations of the United Nations system, including the lead organization for the United Nations Literacy Decade, the United Nations Educational, Scientific and Cultural Organization, in promoting the right to education, including by making progress on the goals of the Decade;

3. *Recognizes* the importance of continuing to implement national programmes and measures for everyone to acquire, use and advance literacy skills in order to eliminate illiteracy worldwide, enhancing further political and financial commitments, in particular for youth and adult literacy and non-formal education, intensifying collective efforts through enhanced education systems and interventions, and building a robust knowledge and technical base through improved literacy monitoring, assessment and research;

4. *Calls upon* all Governments to develop reliable measures of literacy and generate data that are comparable across time and disaggregated by age, sex, disability, socioeconomic status, geographical location (urban/rural areas) and other relevant factors;

5. *Encourages* Member States, their development partners and the specialized agencies and other relevant organizations of the United Nations system, as appropriate, to sustain and expand the gains achieved during the Decade through better integration of literacy into sector-wide and multisectoral education and development strategies, expanding the provision of quality literacy programmes, enhancing education systems to provide quality basic education through schooling, enriching literate environments to allow people to acquire, use and advance literacy skills, and promoting literacy for women and girls, as well as marginalized groups, for their empowerment and inclusion in societies;

6. *Requests* the United Nations Educational, Scientific and Cultural Organization to continue its coordinating and catalysing role in the fight against illiteracy in the post-United Nations Literacy Decade agenda through developing Member States' capacities in the areas of policies, programme delivery and literacy

[6] A/69/183.

assessments, scaling up literacy actions for girls and women, reinforcing innovative models of literacy delivery, including through information and communications technologies, and expanding the knowledge base and monitoring and evaluation, as well as advocating for literacy on the global agenda and ensuring synergies between different actions, including through a multi-stakeholder partnership and networks;

7. *Encourages* efforts to provide education for all, especially for boys and girls, in humanitarian emergencies, including in order to contribute to a smooth transition from relief to development;

8. *Recognizes* the continued need to give appropriate consideration to the issue of literacy in the discussions on the post-2015 development agenda;

9. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its seventy-first session a report on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its seventy-first session, under the item entitled "Social development", a sub-item entitled "Literacy for life: shaping future agendas".

United Nations A/C.3/69/L.10

General Assembly

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Sixty-ninth session
Third Committee
Agenda item 26 (b)
Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Philippines and United Republic of Tanzania: draft resolution

Realizing the Millennium Development Goals and other internationally agreed development goals for persons with disabilities towards 2015 and beyond

The General Assembly,

Recalling earlier operational frameworks, such as the World Programme of Action concerning Disabled Persons,[1] which it adopted on 3 December 1982, and the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,[2] which it adopted on 20 December 1993, in which persons with disabilities are recognized as both development agents and beneficiaries in all aspects of development,

Reaffirming the Convention on the Rights of Persons with Disabilities,[3] which it adopted on 13 December 2006, a landmark convention affirming the human rights and fundamental freedoms of persons with disabilities, and recognizing that it is both a human rights treaty and a development tool,

Recalling its previous resolutions on the internationally agreed development goals, including the Millennium Development Goals, in which it recognized the collective responsibility of Governments to uphold the principles of human dignity, equality and equity at the global level, and stressing the duty of Member States to achieve greater justice and equality for all, in particular persons with disabilities,

Recalling also all of its previous resolutions on realizing the Millennium Development Goals and other internationally agreed development goals for persons with disabilities, as well as the relevant resolutions of the Human Rights Council and the Economic and Social Council and its functional commissions,

[1] A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).
[2] Resolution 48/96, annex.
[3] United Nations, *Treaty Series*, vol. 2515, No. 44910.

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Recalling further the outcome document of the high level plenary meeting of the General Assembly on the Millennium Development Goals,[4] the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want",[5] and the outcome document of the 2011 high-level plenary meeting of the Assembly on HIV and AIDS, entitled "Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS",[6] which contain references to the rights, participation, well-being and perspectives of persons with disabilities in development efforts,

Gravely concerned that persons with disabilities continue to be subject to multiple and aggravated forms of discrimination and are still largely invisible in the implementation, monitoring and evaluation of the Millennium Development Goals, and noting that, while progress has already been made by Governments, the international community and the United Nations system in mainstreaming disability as an integral part of the development agenda, major challenges do remain,

Concerned that the continuing lack of reliable data and information on disability and the situation of persons with disabilities at the national, regional and global levels contributes to the invisibility of persons with disabilities in official statistics, presenting an obstacle to achieving disability-inclusive development planning and implementation,

Stressing the importance of collecting and analysing reliable data on persons with disabilities following existing guidelines on disability statistics,[7] encouraging ongoing efforts to improve data collection in order to disaggregate data with regard to persons with disabilities, and underlining the need to have internationally comparable data to assess progress on disability-inclusive development policies,

1. *Welcomes* the outcome document of the high-level meeting of the General Assembly, at the level of Heads of State and Government, held on 23 September 2013, with the overarching theme "The way forward: a disability-inclusive development agenda towards 2015 and beyond", and the recommendations contained therein;

2. *Also welcomes* the report of the Secretary-General entitled "Realization of the Millennium Development Goals and internationally agreed development goals for persons with disabilities: a disability-inclusive development agenda towards 2015 and beyond",[8] and the recommendations contained therein;

3. *Further welcomes* the report of the Secretary-General entitled "A life of dignity for all: accelerating progress towards and advancing the United Nations development agenda beyond 2015",[9] which recommended the inclusion of disability as a cross-cutting issue across the successor set of goals and targets of the post-2015 development agenda;

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[4] Resolution 65/1.

[5] Resolution 66/288, annex.

[6] Resolution 65/277, annex.

[7] Such as the *Guidelines and Principles for the Development of Disability Statistics* (United Nations publication, Sales No. E.01.XVII.15), and the *Principles and Recommendations for Population and Housing Censuses* (United Nations publication, Sales No. E.07.XVII.8), and their updates.

[8] A/69/187.

[9] A/68/202 and Corr.1.

4. *Welcomes* the work of the Open Working Group on Sustainable Development Goals in incorporating the disability perspective and the situation of persons with disabilities into the emerging sustainable development goals; (ref: paragraph 9, A/69/187)

5. *Expresses appreciation to* Member States and United Nations entities that have submitted information on progress made towards the realization of the internationally agreed development goals, including the Millennium Development Goals, including specific priorities for action, and data and analysis on persons with disabilities, and urges Member States and United Nations entities to submit the requested information;

6. *Urges* Member States, international and regional organizations, regional integration organizations and financial institutions to make a concerted effort to include persons with disabilities and to integrate the principles of accessibility and inclusion into the monitoring and evaluation of the development goals;

7. *Encourages* Member States and the United Nations system to further improve coordination among themselves on disability policies and programmes on international processes and mechanisms on disability;

8. *Also encourages* the mobilization of resources on a sustainable basis to mainstream disability in development at all levels, and in this regard underlines the need to promote and strengthen international cooperation, including South-South and triangular cooperation, in support of national efforts, including, as appropriate, through the establishment of national mechanisms, in particular in developing countries;

9. *Welcomes* the contributions made to the United Nations Partnership to Promote the Rights of Persons with Disabilities trust fund, and in this regard encourages Member States and other stakeholders to support its objectives, including by providing voluntary contributions;

10. *Requests* the United Nations system to facilitate technical assistance, within existing resources, including the provision of assistance for capacity-building and for the collection and compilation of national and regional data and statistics on disability, in particular to developing countries, and in this regard requests the Secretary-General, in accordance with existing guidelines on disability statistics, to analyse, publish and disseminate disability data and statistics in future periodic reports, as appropriate, on the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities;

11. *Encourages* Member States, United Nations organizations and the regional commissions to make all efforts to engage with and ensure the full and effective participation and inclusion of persons with disabilities and, as appropriate, organizations of persons with disabilities and national human rights institutions, in development processes and decision-making at the local, national, regional and international levels;

12. *Also encourages* Member States that have not yet done so to adopt a national disability strategy that can be operationalized through measurable targets and indicators and the assignment of responsibility to a broad range of stakeholders;

13. *Requests* the United Nations system, within existing resources, to update existing methodologies of disability data collection and analysis for persons with

disabilities, to obtain internationally comparable data on the situation of persons with disabilities and to regularly include relevant disability data or relevant qualitative facts, as appropriate, in relevant United Nations publications in the field of economic and social development;

14. *Encourages* Member States to take immediate steps to mainstream disability data into official statistics;

15. *Requests* the President of the General Assembly to organize, during the seventieth session of the General Assembly, an event to review the status of and progress made towards the realization of the development goals for persons with disabilities, including a review on the implementation, monitoring and evaluation of the outcome of the high-level meeting on disability and development;

16. *Requests* the Secretary-General:

(a) To submit information on the implementation of the present resolution to the General Assembly at its seventy-first session;

(b) To submit, on the basis of the existing reporting cycles of the World Programme of Action concerning Disabled Persons, a global periodic report to monitor and measure progress on the status of persons with disabilities in the context of the post-2015 development agenda.

United Nations A/C.3/69/L.11

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Sixty-ninth session
Third Committee
Agenda item 26 (a)
Social development: implementation of the outcome of the World Summit for Social Development and of the twenty-fourth session of the General Assembly

Bolivia (Plurinational State of):* draft resolution

Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

The General Assembly,

Recalling the World Summit for Social Development, held in Copenhagen from 6 to 12 March 1995, and the twenty-fourth special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", held in Geneva from 26 June to 1 July 2000,

Reaffirming that the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development[1] and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session,[2] as well as a continued global dialogue on social development issues, constitute the basic framework for the promotion of social development for all at the national and international levels,

Recalling the United Nations Millennium Declaration[3] and the development goals contained therein, as well as the commitments made at major United Nations summits, conferences and special sessions, including the commitments made at the 2005 World Summit[4] and at the high-level plenary meeting of the General Assembly

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[2] Resolution S-24/2, annex.

[3] Resolution 55/2.

[4] Resolution 60/1.

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on the Millennium Development Goals,[5] and the outcome of the 2013 special event to follow up efforts made towards achieving the Millennium Development Goals,[6]

Recalling also its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling further its resolution 63/303 of 9 July 2009 entitled "Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development",

Welcoming the decision that the Commission for Social Development should consider "Rethinking and strengthening social development in the contemporary world" as the priority theme for the 2015-2016 review and policy cycle,[7]

Recalling the ministerial declaration adopted at the high-level segment of the substantive session of 2012 of the Economic and Social Council, entitled "Promoting productive capacity, employment and decent work to eradicate poverty in the context of inclusive, sustainable and equitable economic growth at all levels for achieving the Millennium Development Goals",[8]

Recalling also the ministerial declaration adopted at the high-level segment of the substantive session of 2013 of the Economic and Social Council, entitled "Science, technology and innovation, and the potential of culture, for promoting sustainable development and achieving the Millennium Development Goals",[9]

Recalling further the ministerial declaration adopted at the high-level segment of the 2014 session of the Economic and Social Council on the theme "Addressing ongoing and emerging challenges for meeting the Millennium Development Goals in 2015 and for sustaining development gains in the future" and the ministerial declaration of the high-level political forum on sustainable development convened under the auspices of the Economic and Social Council on the theme "Achieving the Millennium Development Goals and charting the way for an ambitious post-2015 development agenda, including the sustainable development goals",[10]

Noting that the decent work agenda of the International Labour Organization, with its four strategic objectives, has an important role to play in achieving the objective of full and productive employment and decent work for all, including its objective of social protection, as reaffirmed in the International Labour Organization Declaration on Social Justice for a Fair Globalization,[11] in which the particular role of the Organization in promoting fair globalization and its responsibility to assist its members in their efforts were acknowledged, as well as in the Global Jobs Pact,

Emphasizing the need to enhance the role of the Commission for Social Development in the follow-up to and review of the World Summit for Social

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[5] Resolution 65/1.

[6] Resolution 68/6.

[7] See Economic and Social Council resolution 2014/3.

[8] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 3* (A/67/3/Rev.1), chap. IV, sect. F.

[9] Ibid., *Sixty-eighth Session, Supplement No. 3* (A/68/3/Rev.1), chap. VI, sect. E.

[10] E/HLS/2014/1.

[11] A/63/538-E/2009/4, annex.

Development and the outcome of the twenty-fourth special session of the General Assembly, and welcoming the views of the Commission in the elaboration of the post 2015 development agenda,

Recognizing that the three core themes of social development, namely, poverty eradication, full and productive employment and decent work for all and social integration, are interrelated and mutually reinforcing, and that an enabling environment therefore needs to be created so that all three objectives can be pursued simultaneously,

Recognizing also that a people-centred approach must be at the centre of economic and social development,

Expressing deep concern that attainment of the social development objectives is being hindered by the ongoing adverse impact of the world financial and economic crisis, volatile energy and food prices and the challenges posed by climate change,

Recognizing the complex character of the ongoing food insecurity situation, including food price volatility, as a combination of several major factors, both structural and conjunctural, which is also negatively affected by, inter alia, environmental degradation, drought and desertification, global climate change, natural disasters and the lack of the necessary technology, and recognizing also that a strong commitment from national Governments and the international community as a whole is required to confront the major threats to food security and to ensure that policies in the area of agriculture do not distort trade and worsen food insecurity,

Acknowledging the need to further mainstream sustainable development at all levels, integrating economic, social and environmental aspects and recognizing their interlinkages, so as to achieve sustainable development in all its dimensions,

Reaffirming the need to achieve sustainable development by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable and inclusive social development and promoting the integrated and sustainable management of natural resources,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and its manifestations, such as hunger and malnutrition, trafficking in human beings, disease, lack of adequate shelter and illiteracy, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

Recognizing the importance of the international community in supporting national capacity-building efforts in the area of social development, while recognizing the primary responsibility of national Governments in this regard,

Affirming its strong support for fair globalization and the need to translate growth into eradication of poverty and commitment to strategies and policies that aim to promote full, freely chosen and productive employment and decent work for all and that these should constitute a fundamental component of relevant national and international policies and national development strategies, including poverty reduction strategies, and reaffirming that employment creation and decent work for

all should be incorporated into macroeconomic policies, taking fully into account the impact and social dimension of globalization, the benefits and costs of which are often unevenly shared and distributed,

Recognizing the need to enhance access to the benefits of trade, including agricultural trade, for developing countries in order to foster social development,

Recognizing also that social inclusion is a means for achieving social integration and is crucial for fostering stable, safe, harmonious, peaceful and just societies and for improving social cohesion so as to create an environment for development and progress,

1. *Takes note* of the report of the Secretary-General;[12]

2. *Welcomes* the reaffirmation by Governments of their will and commitment to continue implementing the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[1] in particular to eradicate poverty, promote full and productive employment and decent work for all and foster social integration to achieve stable, safe and just societies for all;

3. *Recognizes* that the implementation of the Copenhagen commitments and the attainment of the internationally agreed development goals, including the Millennium Development Goals, are mutually reinforcing and that the Copenhagen commitments are crucial to a coherent people-centred approach to development;

4. *Reaffirms* that the Commission for Social Development continues to have the primary responsibility for the follow-up to and review of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly and that it serves as the main United Nations forum for an intensified global dialogue on social development issues, and calls upon Member States, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to enhance their support for its work;

5. *Expresses deep concern* that the ongoing adverse impact of the world financial and economic crisis, volatile energy and food prices and food insecurity and the challenges posed by climate change, as well as the lack of results so far in the multilateral trade negotiations, have negative implications for social development;

6. *Stresses* the importance of the policy space of national Governments, in particular in the areas of social expenditure and social protection programmes, and calls upon international financial institutions and donors to support developing countries in achieving their social development, in line with their national priorities and strategies by, among other things, providing debt relief;

7. *Recognizes* that the broad concept of social development affirmed by the World Summit for Social Development and the twenty-fourth special session of the General Assembly has not been fully implemented in national and international policymaking and that, although poverty eradication is a central part of development policy and discourse, further attention should be given to the other commitments agreed to at the Summit, in particular those concerning employment and decent work and social integration, which have also suffered from a general disconnect between economic and social policymaking;

[12] A/69/157.

8. *Acknowledges* that the first United Nations Decade for the Eradication of Poverty (1997-2006), launched after the World Summit for Social Development, has provided the long-term vision for sustained and concerted efforts at the national and international levels to eradicate poverty;

9. *Recognizes* that the implementation of the commitments made by Governments during the first Decade has fallen short of expectations, and welcomes the proclamation of the Second United Nations Decade for the Eradication of Poverty (2008-2017) by the General Assembly in its resolution 62/205 of 19 December 2007 in order to support, in an efficient and coordinated manner, the internationally agreed development goals related to poverty eradication, including the Millennium Development Goals;

10. *Emphasizes* that the major United Nations conferences and summits, including the Millennium Summit, the 2005 World Summit, the high-level plenary meeting of the General Assembly on the Millennium Development Goals, the 2013 special event to follow up efforts made towards achieving the Millennium Development Goals, the International Conference on Financing for Development, in its Monterrey Consensus,[13] and the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, have reinforced the priority and urgency of poverty eradication within the United Nations development agenda;

11. *Also emphasizes* that poverty eradication policies should tackle poverty by addressing its root and structural causes and manifestations, and that equity, inclusivity, the reduction of inequalities and the empowerment of the poor need to be incorporated into those policies;

12. *Reaffirms* that each country has the primary responsibility for its own economic and social development and that the role of national policies and development strategies cannot be overemphasized, and underlines the importance of adopting effective measures, including new financial mechanisms, as appropriate, to support the efforts of developing countries to achieve sustained economic growth, sustainable development, poverty eradication and the strengthening of their democratic systems;

13. *Stresses* that an enabling environment is a critical precondition for achieving equity and social development and that, while economic growth is essential, entrenched inequality and marginalization are an obstacle to the broad-based and sustained growth required for sustainable, inclusive and people-centred development, and recognizes the need to balance and ensure complementarity between measures to achieve growth and measures to achieve economic and social equity and inclusion in order for there to be an impact on overall poverty levels;

14. *Also stresses* that stability in global financial systems and corporate social responsibility and accountability, as well as national economic policies that have an impact on other stakeholders, are essential in creating an enabling international environment to promote economic growth and social development;

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[13] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

15. *Recognizes* the need to promote respect for all human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

16. *Reaffirms* the commitment to gender equality and the empowerment of women, as well as to the mainstreaming of a gender perspective into all development efforts, recognizing that they are critical for achieving sustainable development and for efforts to combat hunger and malnutrition, poverty and disease and to strengthen policies and programmes that improve, ensure and broaden the full participation of women in all spheres of political, economic, social and cultural life, as equal partners, and to improve their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers, including ensuring equal access to full and productive employment and decent work for all, as well as strengthening their economic independence;

17. *Encourages* Governments to promote effective participation of people in civic, social, economic and political activities, as well as in the planning and implementation of social integration policies and strategies, in order to better achieve the goals of poverty eradication, full employment and decent work and social integration;

18. *Reaffirms* the commitment to promote opportunities for full, freely chosen and productive employment, including for the most disadvantaged, as well as decent work for all, including respect for fundamental principles and rights at work, also reaffirms that there is an urgent need to create an environment at the national and international levels that is conducive to the attainment of full and productive employment and decent work for all as a foundation for sustainable development, that an environment that supports investment, growth and entrepreneurship is essential to the creation of new job opportunities and that human resources development strategies should be premised on national development objectives that ensure a strong link between education, health, training and employment, help to maintain a productive and competitive workforce and are responsive to the needs of the economy, and further reaffirms that opportunities for men and women to obtain productive work in conditions of freedom, equity, security and human dignity are essential to ensuring the eradication of hunger and poverty, the improvement of economic and social well-being for all, the achievement of sustained economic growth and sustainable development of all nations and a fully inclusive and equitable globalization;

19. *Stresses* the importance of removing obstacles to the realization of the right of peoples to self-determination, in particular of peoples living under colonial or other forms of alien domination or foreign occupation, which adversely affect their social and economic development, including their exclusion from labour markets;

20. *Reaffirms* the need to address all forms of violence in its many manifestations, including domestic violence, particularly against women, children, older persons and persons with disabilities, and discrimination, including xenophobia, recognizes that violence increases challenges to States and societies in the achievement of poverty eradication, full and productive employment and decent work for all and social integration, and further recognizes that terrorism, trafficking in arms, organized crime, trafficking in persons, money-laundering, ethnic and

religious conflict, civil war, politically motivated killing and genocide present fundamental threats to societies and pose increasing challenges to States and societies in the attainment of conditions conducive to social development, and that they further present urgent and compelling reasons for action by Governments individually and, as appropriate, jointly to foster social cohesion while recognizing, protecting and valuing diversity;

21. *Requests* the United Nations funds, programmes and agencies to mainstream the goal of full and productive employment and decent work for all into their policies, programmes and activities, as well as to support efforts of Member States aimed at achieving this objective, and invites financial institutions to support efforts in this regard;

22. *Recognizes* that promoting full employment and decent work for all also requires investing in education, training and skills development for women and men, and girls and boys, strengthening social protection and health systems and applying international labour standards, and urges States and, as appropriate, the relevant entities of the United Nations system and international and regional organizations, within their respective mandates, as well as civil society, the private sector, employer organizations, trade unions, the media and other relevant actors, to continue to develop and strengthen policies, strategies and programmes to enhance, in particular, the employability of women and youth and to ensure their access to full and productive employment and decent work for all, including by improving access to formal and non-formal education, skills development and vocational training, lifelong learning and retraining and long-distance education, inter alia, in information and communications technology and entrepreneurial skills, particularly in developing countries, including with a view to supporting the economic empowerment of women in the different stages of their lives;

23. *Also recognizes* that full and productive employment and decent work for all, which encompass social protection, fundamental principles and rights at work, tripartism and social dialogue, are key elements of sustainable development for all countries and are therefore an important objective of international cooperation, and supports the promotion of innovative approaches in the design and implementation of employment policies and programmes for all, including the long-term unemployed;

24. *Encourages* States to design and implement policies and strategies for poverty eradication, full employment and decent work for all, including the creation of full and productive employment that is appropriately and adequately remunerated, as well as policies and strategies for social integration that promote gender equality and the empowerment of women and address the specific needs of social groups such as young people, persons with disabilities, older persons, migrants and indigenous peoples, taking into account the concerns of those groups in the planning, implementation and evaluation of development programmes and policies;

25. *Stresses* the need to allocate adequate resources for the elimination of all forms of discrimination against women in the workplace, including unequal access to labour market participation and wage inequalities, as well as reconciliation of work and private life for both women and men;

26. *Acknowledges* the important nexus between international migration and social development, and stresses the importance of effectively enforcing labour laws with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

27. *Recognizes* the responsibility of Governments to urgently and significantly scale up efforts to accelerate the transition towards universal access to affordable and quality health-care services;

28. *Acknowledges* that universal health coverage implies that all people have access, without discrimination, to nationally determined sets of needed promotive, preventive, curative and rehabilitative basic health services and essential, safe, affordable, effective and quality medicines, while ensuring that the use of these services does not expose the users to financial hardship;

29. *Recognizes* that, since the convening of the World Summit for Social Development in Copenhagen in 1995, advances have been made in addressing and promoting social integration, including through the adoption of the Madrid International Plan of Action on Ageing, 2002,[14] the World Programme of Action for Youth,[15] the Convention on the Rights of Persons with Disabilities,[16] the United Nations Declaration on the Rights of Indigenous Peoples[17] and the Beijing Declaration and Platform for Action;[18]

30. *Stresses* that the benefits of economic growth should be inclusive and distributed more equitably and that, in order to close the gap of inequality and avoid any further deepening of inequality, comprehensive social policies and programmes, including appropriate social transfer and job creation programmes and social protection systems, are needed;

31. *Recognizes* the importance of providing social protection schemes for the formal and informal economy as instruments for achieving equity, inclusion and stability and cohesion of societies, and emphasizes the importance of supporting national efforts aimed at bringing informal workers into the formal economy;

32. *Stresses* that poverty eradication policies should, inter alia, ensure that people living in poverty have access to education, health, water and sanitation and other public and social services, as well as access to productive resources, including credit, land, training, technology, knowledge and information, and ensure that citizens and local communities participate in decision-making on social development policies and programmes in this regard;

33. *Recognizes* that the social integration of people living in poverty should encompass addressing and meeting their basic human needs, including nutrition, health, water, sanitation, housing and access to education and employment, through integrated development strategies;

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[14] *Report of the Second World Assembly on Ageing, Madrid, 8-12 April 2002* (United Nations publication, Sales No. E.02.IV.4), chap. I, resolution 1, annex II.

[15] Resolution 50/81, annex, and resolution 62/126, annex.

[16] United Nations, *Treaty Series*, vol. 2515, No. 44910.

[17] Resolution 61/295, annex.

[18] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

34. *Reaffirms* that social integration policies should seek to reduce inequalities, promote access to basic social services, education for all and health care, eliminate discrimination, increase the participation and integration of social groups, particularly young people, older persons and persons with disabilities, and address the challenges posed to social development by globalization and market driven reforms in order for all people in all countries to benefit from globalization;

35. *Urges* Governments, with the cooperation of relevant entities, to develop systems of social protection that support labour market participation and address and reduce inequality and social exclusion and to extend or broaden, as appropriate, their effectiveness and coverage, including for workers in the informal economy, invites the International Labour Organization to strengthen its social protection strategies and policies on extending social security coverage, urges Governments, while taking account of national circumstances, to focus on the needs of those living in, or vulnerable to, poverty and to give particular consideration to universal access to basic social security systems, including the implementation of social protection floors, which can provide a systemic base upon which to address poverty and vulnerability, and in this regard takes note of the International Labour Organization recommendation on social protection floors;

36. *Requests* the United Nations system to continue to support national efforts of Member States to achieve inclusive social development in a coherent and coordinated manner;

37. *Reaffirms* the commitment to promote the rights of indigenous peoples in the areas of education, employment, housing, sanitation, health and social security, and notes the attention paid to those areas in the United Nations Declaration on the Rights of Indigenous Peoples;

38. *Recognizes* the need to formulate social development policies in an integral, articulated and participative manner, recognizing poverty as a multidimensional phenomenon, calls for interlinked public policies on this matter, and underlines the need for public policies to be included in a comprehensive development and well-being strategy;

39. *Acknowledges* the role that the public sector can play as an employer and its importance in developing an environment that enables the effective generation of full and productive employment and decent work for all;

40. *Also acknowledges* the vital role that the private sector can play in generating new investments, employment and financing for development and in advancing efforts towards full employment and decent work for all, and encourages the private sector, including small and medium-sized enterprises and cooperatives, to contribute to decent work for all and job creation for both women and men, and particularly for young people, including through partnerships with Governments, the United Nations system, civil society and academia;

41. *Recognizes* that steps should be taken to anticipate and offset the negative social and economic consequences of globalization, giving priority to agricultural and non-farm sectors, and to maximize its benefits for poor people living and working in rural areas, while paying special attention to the development of microenterprises and small and medium-sized enterprises, particularly in rural areas, as well as subsistence economies, to secure their safe interaction with larger economies;

42. *Stresses* that more concerted efforts are required to boost smallholder productivity in a sustainable manner, including scaling up public investments in agriculture, attracting responsible private investment in agriculture, improving the quality and quantity of rural extension services and ensuring that smallholder farmers, in particular women, have access to the necessary resources, assets and markets;

43. *Recognizes* the need to pay necessary attention to the social development of people in urban areas, especially the urban poor;

44. *Also recognizes* the need to give priority to investing in and further contributing to sustainable development, including sustainable agricultural development, and a financial infrastructure that provides access to a variety of sustainable products and services for microenterprises, small and medium-sized enterprises and entrepreneurship cooperatives and other forms of social enterprises, and the participation and entrepreneurship of women as means to promote full and productive employment and decent work for all;

45. *Reaffirms* the commitments made in respect of meeting the special needs of Africa at the 2005 World Summit,[19] underlines the call of the Economic and Social Council for enhanced coordination within the United Nations system and the ongoing efforts to harmonize the current initiatives on Africa, and requests the Commission for Social Development to continue to give due prominence in its work to the social dimensions of the New Partnership for Africa's Development;[20]

46. *Also reaffirms*, in this context, that international cooperation has an essential role in assisting developing countries, including the least developed countries, in strengthening their human, institutional and technological capacity;

47. *Stresses* that the international community shall enhance its efforts to create an enabling environment for social development and poverty eradication through increasing market access for developing countries, technology transfer on mutually agreed terms, financial aid and a comprehensive solution to the external debt problem;

48. *Also stresses* that international trade and stable financial systems can be effective tools to create favourable conditions for the development of all countries and that trade barriers and some trading practices continue to have negative effects on employment growth, particularly in developing countries;

49. *Acknowledges* that good governance and the rule of law at the national and international levels are essential for sustained economic growth, sustainable development and the eradication of poverty, hunger and malnutrition;

50. *Underlines* the fact that the fulfilment of all official development assistance commitments is crucial, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national product for official development assistance to developing countries by 2015 and the target of 0.15 to 0.20 per cent of gross national product for official development assistance to the least developed countries, and urges developed countries that have not yet done so

[19] Resolution 60/1, para. 68.

[20] A/57/304, annex.

to fulfil their commitments for official development assistance to developing countries;

51. *Stresses* the essential role that official development assistance plays in complementing, leveraging and sustaining financing for development efforts in developing countries and in facilitating the achievement of development objectives, including the internationally agreed development goals, in particular the Millennium Development Goals, and welcomes steps to improve the effectiveness and quality of aid based on the fundamental principles of national ownership, alignment, harmonization, managing for results and mutual accountability;

52. *Urges* Member States and the international community to fulfil all their commitments to meet the demands for social development, including social services and assistance, that have arisen from the global financial and economic crisis, which particularly affects the poorest and most vulnerable;

53. *Encourages* Member States to reflect in their development strategies current trends in global growth, including nascent recoveries in some economies that offer new opportunities for trade, investment and growth;

54. *Welcomes* the contribution to the mobilization of resources for social development by the initiatives taken on a voluntary basis by groups of Member States based on innovative financing mechanisms, including those that aim to provide further drug access at affordable prices to developing countries on a sustainable and predictable basis, such as the International Drug Purchase Facility, UNITAID, as well as other initiatives such as the International Finance Facility for Immunization and the Advance Market Commitments for Vaccines, and notes the New York Declaration of 20 September 2004, which launched the Action against Hunger and Poverty initiative and called for further attention to raising funds urgently needed to help to meet the Millennium Development Goals and to complement and ensure the long-term stability and predictability of foreign aid;

55. *Reaffirms* that social development requires the active involvement of all actors in the development process, including civil society organizations, corporations and small businesses, and that partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development, also reaffirms that, within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals, and acknowledges the importance of efforts to promote the exchange of information and knowledge on decent work for all and job creation, including green jobs initiatives and related skills, and to facilitate the integration of relevant data into national economic and employment policies;

56. *Underlines* the responsibility of the private sector, at both the national and the international levels, including small and large companies and transnational corporations, regarding not only the economic and financial implications but also the development, social, gender and environmental implications of their activities, their obligations towards their workers and their contributions to achieving sustainable development, including social development, emphasizes the responsibility of transnational corporations to respect all human rights and to refrain from causing environmental disasters and affecting the well-being of peoples, and also emphasizes the need to take concrete actions on corporate responsibility and accountability,

including through the participation of all relevant stakeholders, inter alia, for the prevention or prosecution of corruption;

57. *Stresses* the importance of promoting corporate social responsibility and accountability, encourages responsible business practices, such as those promoted by the Global Compact and the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework,[21] invites the private sector to take into account not only the economic and financial implications but also the development, social, human rights, gender and environmental implications of its undertakings, and underlines the importance of the International Labour Organization Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

58. *Encourages* Member States to give appropriate consideration to poverty eradication, social integration, full employment and decent work for all in the elaboration of the post 2015 development agenda;

59. *Reaffirms* the importance of rethinking and strengthening social development in the contemporary world by, inter alia, appraising progress made, identifying gaps and challenges in achieving the internationally agreed social development goals and realizing opportunities for social development;

60. *Stresses* the importance of the World Summit for Social Development, held in Copenhagen from 6 to 12 March 1995, and invites all Member States, relevant organizations of the United Nations development system and specialized agencies, regional commissions and other international organizations, as well as civil society and private sector organizations, to actively promote and undertake activities during 2015 to support an appropriate celebration of the twentieth anniversary of the World Summit;

61. *Decides* to devote one high-level plenary meeting of the General Assembly, at its seventieth session, in 2015, to the commemoration of the twentieth anniversary of the World Summit, in order to celebrate the progress made so far and further strengthen the role of social development beyond 2015;

62. *Invites* the Secretary-General, the Economic and Social Council, the regional commissions, the relevant specialized agencies, the funds and programmes of the United Nations system and other intergovernmental forums, within their respective mandates, to continue to integrate into their work programmes and give priority attention to the Copenhagen commitments and the Declaration on the tenth anniversary of the World Summit for Social Development,[22] to continue to be actively involved in their follow-up and to monitor the achievement of those commitments and undertakings;

63. *Invites* the Economic and Social Council and the Commission for Social Development to give appropriate consideration to the commemoration of the twentieth anniversary of the World Summit by organizing a meeting during the regular programme of work of the substantive session of the Council and a half-day meeting during the fifty-third session of the Commission, in 2015, taking into account the discussions on the post-2015 development agenda and the fact that a

[21] A/HRC/17/31, annex.

[22] See *Official Records of the Economic and Social Council, 2005, Supplement No. 6* (E/2005/26), chap. I, sect. A; see also Economic and Social Council decision 2005/234.

summit at the level of Heads of State and Government for the adoption of the post-2015 development agenda will be held in September 2015;

64. *Invites* the Commission for Social Development to emphasize, in its review of the implementation of the Copenhagen Declaration and the Programme of Action, the increased exchange of national, regional and international experiences, the focused and interactive dialogues among experts and practitioners and the sharing of best practices and lessons learned, and to remain actively engaged in the discussions on the post 2015 development agenda;

65. *Decides* to include in the provisional agenda of its seventieth session, under the item entitled "Social development", the sub-item entitled "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly", and requests the Secretary-General to submit a report on the question to the Assembly at that session.

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Sixty-ninth session
Third Committee
Agenda item 26 (b)
Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Bolivia (Plurinational State of):* draft resolution

Observance of the twentieth anniversary of the International Year of the Family

The General Assembly,

Recalling its resolutions 44/82 of 8 December 1989, 50/142 of 21 December 1995, 52/81 of 12 December 1997, 54/124 of 17 December 1999, 56/113 of 19 December 2001, 57/164 of 18 December 2002, 58/15 of 3 December 2003, 59/111 of 6 December 2004, 59/147 of 20 December 2004, 60/133 of 16 December 2005, 62/129 of 18 December 2007, 64/133 of 18 December 2009, 66/126 of 19 December 2011, 67/142 of 20 December 2012 and 68/136 of 18 December 2013 concerning the proclamation of, preparations for and observance of the International Year of the Family and its tenth and twentieth anniversaries,

Recalling also that relevant United Nations instruments on human rights as well as relevant global plans and programmes of action call for the widest possible protection and assistance to be accorded to the family, bearing in mind that in different cultural, political and social systems, various forms of the family exist,

Recalling further that the family is the basic unit of society and, as such, should be strengthened, and that it is entitled to receive comprehensive protection and support,

Recognizing that the preparations for and observance of the twentieth anniversary of the International Year in 2014 provide a useful opportunity to draw further attention to the objectives of the International Year for increasing cooperation at all levels on family issues and for undertaking concerted actions to strengthen family-centred policies and programmes as part of an integrated comprehensive approach to development,

* On behalf of the States Members of the United Nation that are members of the Group of 77 and China.

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Noting the importance of designing, implementing and monitoring family-oriented policies targeting the family unit and its dynamic as a whole and of taking into consideration the needs of its members, especially in the areas of poverty eradication, full employment and decent work, work-family balance, sustainable livelihoods, social integration and intergenerational solidarity,

Recognizing that the family has the primary responsibility for the nurturing and protection of children and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Noting that single-headed households, child-headed households, intergenerational and intragenerational households are particularly vulnerable to poverty and social exclusion,

Emphasizing the need for greater inter-agency and regional cooperation on family issues in order to contribute fully to the effective implementation of the objectives of the International Year and its follow-up processes,

Convinced that civil society, including research and academic institutions, has a pivotal role in advocacy, promotion, research and policymaking in respect of family policy development and capacity-building,

Recognizing the efforts made by Governments, the United Nations system and civil society to fulfil the objectives guiding the preparations for the twentieth anniversary of the International Year at the national, regional and international levels,

Recalling that the twentieth anniversary of the International Year of the Family will be observed during the sixty-ninth session of the General Assembly,

1. *Welcomes* the report of the Secretary-General on the preparations for and observance of the twentieth anniversary of the International Year of the Family in 2014[1] and the recommendations contained therein;

2. *Commends* the contributions of Governments, the United Nations system, civil society and other stakeholders to the observance of the twentieth anniversary of the International Year;

3. *Encourages* Governments to continue to make every possible effort to realize the objectives of the International Year of the Family and its follow-up processes as well as the family-related provisions of the outcomes of the major United Nations conferences and summits and the outcome documents of their review processes and to integrate a family perspective into national policymaking;

4. *Invites* Governments and regional intergovernmental entities to provide for more systematic national and regional data on family well-being and to identify and ensure support for constructive family policy developments, including the exchange of information on good policies and practices;

5. *Urges* Member States to give due consideration to advancing family policy development in the elaboration of the post-2015 development agenda;

[1] A/69/61-E/2014/4.

6. *Encourages* Member States to promote policies that strengthen social integration and intergenerational solidarity through investment in family-centred support programmes, including social protection assistance, the prevention of the abuse of older persons, the protection of persons with disabilities, including in particular children with disabilities, and investments in cross-generational facilities and intergenerational learning, and volunteer programmes for youth, older persons, mentoring and job-sharing;

7. *Invites* Governments to continue to develop strategies and programmes aimed at strengthening national capacities to address national priorities relating to family issues;

8. *Urges* Member States to create a conducive environment to strengthen and support all families, recognizing that equality between women and men and respect for all human rights and fundamental freedoms of all family members are essential to family well-being and to society at large, noting the importance of reconciliation of work and family life and recognizing the principle of shared parental responsibility for the upbringing and development of the child;

9. *Emphasizes* the need to address the needs of all families, including single-headed households, child-headed households, intergenerational and intragenerational households, taking into consideration that they are particularly vulnerable to poverty and social exclusion;

10. *Encourages* Member States to continue their efforts to develop appropriate policies and programmes that address family poverty, social exclusion, domestic violence, work-family balance, sustainable livelihoods and intergenerational issues and to share good practices in those areas;

11. *Also encourages* Member States to promote the delivery of family-centred benefits, such as housing assistance, child benefits, old-age pensions, cash transfers, social protection, social transfer programmes and other relevant measures to reduce family poverty and prevent the intergenerational transfer of poverty;

12. *Further encourages* Member States to promote policies in support of work-family balance, including the sharing of family responsibilities among family members and the promotion of responsible fatherhood, as part of their broader gender equality agenda;

13. *Encourages* Member States to invest in intergenerational programmes for helping families in their caregiving responsibilities and facilitating intergenerational exchanges and support;

14. *Also encourages* Member States, in cooperation with relevant stakeholders and in accordance with national plans and policies, to strengthen provisions for parental leave, extend flexible working arrangements for employees with family responsibilities, promote gender equality and the empowerment of women, enhance paternal involvement in family responsibilities and support a wide range of quality childcare arrangements, including investing in quality early childhood care and education, in order to improve work-family balance;

15. *Invites* Member States, the United Nations system, civil society, academic institutions and the private sector to actively participate in the observance of the twentieth anniversary of the International Year;

16. *Encourages* the Department of Economic and Social Affairs of the Secretariat, within existing resources, to continue to cooperate with Governments, the United Nations system and civil society on family policy development in the context of the post-2015 development agenda;

17. *Encourages* Governments to support the United Nations Trust Fund on Family Activities in order to enable the Department of Economic and Social Affairs to continue research activities and provide assistance for projects of direct benefit to the well-being of all families, with a special focus on developing countries;

18. *Decides* to consider the topic "Observance of the twentieth anniversary of the International Year of the Family" at its seventieth session under the sub-item entitled "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family" of the item entitled "Social development".

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Social development: social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

Bolivia (Plurinational State of):* revised draft resolution

Celebrating the twentieth anniversary of the International Year of the Family

The General Assembly,

Recalling its resolutions 44/82 of 8 December 1989, 50/142 of 21 December 1995, 52/81 of 12 December 1997, 54/124 of 17 December 1999, 56/113 of 19 December 2001, 57/164 of 18 December 2002, 58/15 of 3 December 2003, 59/111 of 6 December 2004, 59/147 of 20 December 2004, 60/133 of 16 December 2005, 62/129 of 18 December 2007, 64/133 of 18 December 2009, 66/126 of 19 December 2011, 67/142 of 20 December 2012 and 68/136 of 18 December 2013 concerning the proclamation of, preparations for and observance of the International Year of the Family and its tenth and twentieth anniversaries,

Recognizing that the preparations for and observance of the twentieth anniversary of the International Year in 2014 provide a useful opportunity to raise awareness of the objectives of the International Year for increasing cooperation at all levels on family issues and for undertaking concerted actions to strengthen family-centred policies and programmes as part of an integrated comprehensive approach to development,

Recognizing also the efforts made by Governments, the United Nations system and civil society to fulfil the objectives guiding the preparations for the twentieth anniversary of the International Year at the national, regional and international levels,

Recalling that the twentieth anniversary of the International Year of the Family will be observed during the sixty-ninth session of the General Assembly,

* On behalf of the States Members of the United Nations that are members of the G77 and China.

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Taking note of the report of the Secretary-General,[1]

1. *Welcomes* the holding of a plenary meeting during the sixty-ninth session of the General Assembly, in December 2014, in observance of the twentieth anniversary of the International Year of the Family, in order to discuss the role of family-oriented policies in the elaboration of the post-2015 development agenda;

2. *Encourages* Governments to continue to make every possible effort to realize the objectives of the International Year of the Family and its follow-up processes and to develop strategies and programmes aimed at strengthening national capacities to address national priorities relating to family issues;

3. *Urges* Member States to give due consideration to advancing family policy development in the elaboration of the post-2015 development agenda;

4. *Encourages* Governments to support the United Nations Trust Fund on Family Activities;

5. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-first session, through the Commission for Social Development and the Economic and Social Council, on the implementation by Member States and United Nations system agencies and bodies of the objectives of the International Year and its follow-up processes, as set out in previous resolutions, including its resolution 68/136;

6. *Calls upon* Member States, United Nations agencies and bodies, civil society organizations and academic institutions to take into account the role the family plays as a contributor to sustainable development, and encourages Member States to continue providing information on their activities in support of the objectives of the International Year and its follow-up processes, to be included in the report of the Secretary-General;

7. *Decides* to consider the topic "Follow-up to the twentieth anniversary of the International Year of the Family and beyond at its seventieth session under the sub-item entitled "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family" of the item entitled "Social development".

[1] A/69/61-E/2014/4.